

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA,
SESSION OF 1875-6,
HELD IN THE
CITY OF MONTGOMERY,

Commencing on Tuesday, December 28th, 1875.

WITH AN INDEX,
PREPARED BY THE CLERK OF THE HOUSE.

MONTGOMERY, ALA.:
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1876.



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JOURNAL.

MONTGOMERY, ALABAMA, }
TUESDAY, December 28, 1875. }

BE IT REMEMBERED, That this being Tuesday, the 28th day of December, 1875, the day fixed by the act "To fix the time of the meeting of the next General Assembly," approved March 20, 1875, for the meeting of the General Assembly of Alabama, at the hour of 12 o'clock, m., the House of Representatives assembled in the hall of the House, in the city of Montgomery.

In the absence of the Speaker the House was called to order by the Hon. Thomas H. Price, of Mobile, who thereupon offered the following resolution, which was adopted:

Resolved, That in the temporary absence of the Speaker of the House, the Hon. N. N. Clements, of Tuscaloosa, be and he is hereby appointed Speaker *pro tempore*, to act until the arrival of the Speaker of the House.

PRAYER.

Prayer was then offered by Dr. Gwin, of Montgomery.

CREDENTIALS.

Mr. L. W. Jenkins, member elect from the county of Wilcox in the place of Hon. John Bruce, resigned, came forward, presented his certificate of election, and, having been duly qualified according to law, took his seat as a member of the House.

ROLL CALL.

On the call of the roll, the following members answered to their names:

Messrs. Aldridge, Baldwin, Barnett, Barron, Bell, Bennett,

Billups, Blevins, Bonner, Boyd, Bozeman, Brewer, Brown, Cashin, Clements, Cook, Coon, Crews, Davis, Dillon, Fagan, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Green of Jefferson, Green of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Maples, Martin, Mathews, Nelson, Price, Prowell, Rice, Ross, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wood of Marengo, Wood of Talladega, Woolf and Wynne—65.

Mr. Woolf offered the following resolution, which was adopted :

Resolved, That the clerk be instructed to notify the Senate that the House is now organized and ready to proceed to business, and that the Hon. N. N. Clements has been appointed temporary Speaker, to preside until the arrival of the Speaker of the House.

Mr. Smith of Franklin offered the following resolution, which was adopted :

Resolved by the House, the Senate concurring, That a joint committee of three from the House and two from the Senate be appointed to wait upon the Governor and inform him that the two houses are now organized, and ready to receive any communication he may wish to make.

Committee on the part of the House—Messrs. Smith of Franklin, Billups, and Greene of Lee.

Mr. Price offered the following resolution :

Resolved, That a special committee of ——— be appointed by the Speaker, whose duty it shall be to consider what legislation, if any, is rendered necessary by the new constitution of the State of Alabama, and report by bill, or bills, or otherwise ; and that said committee, when appointed, are hereby instructed to act in conjunction with any joint or similar committee that may be appointed by the Senate for like purpose.

On motion of Mr. Woolf, the blank was filled by inserting the word " nine ;" and, as amended, the resolution was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, }
Dec. 28, 1875. }

Mr. Speaker :

I am instructed by the Senate to notify the House of Rep-

representatives that the Senate is organized and ready to proceed to business.

S. B. BREWER,
Secretary.

Mr. Smith of Franklin, offered the following resolution, which was adopted:

Resolved, That the Secretary of State be required to furnish a copy of the Revised Code of Alabama to the members of the House, and such Acts of the Legislature as may be required, and a copy of the new constitution.

Mr. Grant moved that a committee of five, of which the Speaker shall be chairman, be appointed to prepare and report rules for the government of the House.

The motion was carried.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
Dec. 28, 1875. }

Mr. Speaker:

The Senate has concurred in the House resolution authorizing the appointment of a joint committee to wait upon the Governor, and has appointed Messrs. Martin of Tuscaloosa and Farden as the committee on the part of the Senate.

S. B. BREWER,
Secretary.

Mr. Smith of Franklin, from the committee to wait on the Governor, reported that the committee had performed the duty assigned it, and that the Governor had informed the committee that he would send in his annual message during the day.

The report was received, and the committee was discharged.

Mr. Maples offered the following resolution, which was adopted:

Resolved, That the door-keeper be requested to have the locks of the members' desks repaired, and purchase such articles as may be necessary for the use of the House.

Mr. Woolf offered the following joint resolution, which was adopted:

Resolved, (the Senate concurring,) That the two Houses of the General Assembly meet in joint convention, on next Tues-

day, at 12 o'clock, M., for the purpose of electing solicitors for the several judicial circuits of the State.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Townsend, for — days, and Mr. Baker indefinitely, on account of sickness.

Mr. Smith, of Bullock, gave notice that since the adjournment of the Legislature, the Hon. Willis Merriwether of Wilcox, had departed this life.

ANNUAL MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT. }
Montgomery, Dec. 28, 1875. }

Mr. Speaker :

I am instructed by the Governor to communicate to the House of Representatives a message, in writing, with accompanying documents.

Respectfully,
L. R. DAVIS,
Private Secretary.

The message is as follows:

Gentlemen of the Senate and House of Representatives of the State of Alabama :

In accordance with a duty imposed upon me by the Constitution of the State, I now submit this my first annual message to your honorable bodies.

I congratulate you upon the fact that throughout the State, since your last adjournment, peace, quiet, and happiness have prevailed, without serious interruption, among the people of whom you are the chosen and honored representatives. That our constituents have been exempt from those epidemics, so destructive to life, which have unfortunately afflicted the people of some of our sister States. That with the exception of limited sections of the State the labors of the people in all departments of business have been liberally rewarded; obstacles which at the beginning of the year appeared formidable have entirely vanished, and given place to the unerring buddings of prosperity, and a strong and growing feeling of obedience to law and order, as well as a fixed purpose for their just and equal enforcement.

For these favorable indications of a return of the prosperity of the people, as well as their continued peace and happiness, together with other innumerable blessings, of which we are the daily recipients, we should ever feel deeply grateful to the "Giver of all good and perfect gifts."

THE NEW CONSTITUTION.

Pursuant to an act of the General Assembly, approved March 19, 1875, I have the honor to lay before you the new Constitution, together with the returns of the election, for its ratification or rejection, showing its ratification by the qualified voters of the State by the large majority of fifty-six thousand four hundred and fifty-six votes.

In conformity with the above mentioned act, I published my proclamation on the 2d day of December, inst., in which I announced the vote, and named the 6th day of December, 1875, as the day on which the constitution, thus ratified, should go into effect and become fully binding and operative on all the people of this State.

It is now the fundamental law of the State of Alabama, and the important trust of framing a code of laws in conformity with the provisions and requirements is committed to you, and I am quite satisfied that the onerous and grave responsibility rests upon men who will discharge their duty with the same unselfish and patriotic considerations that actuated them in calling the Convention.

The very decided majorities given at both elections, as well for the Convention as for the ratification of the Constitution, show that the people are fully alive to the importance of having an organic law that will, both now and in the future, protect all citizens, irrespective of race or color.

I congratulate them and yourselves upon the perfect quiet and order that prevailed at both elections. The people have changed, and almost silently, the organic law of the State without one act of violence, or the least ill feeling growing out of the holding of said elections, so far as this department can ascertain. It is a circumstance without a parallel, and one of which we should all feel proud. With thoughtful and wise legislation on your part the career of this State is as certain to be prosperous in the future as it has been unfortunate in the past.

It would be quite unreasonable to hope to have a Constitution for a State, framed by human agency, entirely free from fault or objection. People differ in their respective judgments; one will approve while another will condemn the same

provision in the same constitution. Such is, doubtless, true of the Constitution so recently ratified—we could expect nothing less. It is, however, the high and solemn duty of patriots and statesmen to judge of it reasonably, and to perfect it, as defects or mistakes shall be made to appear, if indeed any such exist.

REPORTS OF TREASURER AND AUDITOR.

I transmit herewith the annual reports of the State Treasurer and the Auditor, from which you will ascertain the operations of those departments for the fiscal year ending 30th September, 1875. The expenses of the administration of the government of the State for that year have been largely reduced, but not so much as I had hoped.

I will refer, in a subsequent portion of this communication, to reforms which can only be made by legislative authority, and, if made, will aid me very materially in further reducing the expenses of administering the State Government.

The report of the Auditor will show you the amount of the bonded debt of the State, without interest, both the direct and contingent debt of that character. To the debt as therein shown must be added what is known as the domestic and floating debts.

I purposely avoid, however, a discussion of the debt of the State, and its present and prospective financial condition, for the reason that those subjects will be fully presented in the report of the State Financial Commissioners, which, it is hoped, may be submitted to you at an early period of the session.

STATE OBLIGATIONS.

The act of the General Assembly, approved March 29, 1873, authorized the issue of obligations of the State, known as funding obligations, to the amount of one million dollars, bearing eight per centum interest, payable in currency, half-yearly, at the several places named in said act. Said obligations were issued by my immediate predecessor, and the amount of interest, and expenses of paying interest, are as follows:

	<i>Interest.</i>	<i>Expenses.</i>
July, 1874,*	\$ 8,214 60	\$ 673 30
January, 1875,†	30,905 80	1,585 12
July, 1875,†	22,073 81	1,178 21
Total	\$61,194 21	\$3,436 63

* Paid by Bingham.

† Paid by Crawford.

You will observe that interest has been paid three times, amounting in the aggregate to sixty-one thousand one hundred and ninety-four dollars and twenty-one cents, at an aggregate cost of three thousand four hundred and thirty-six dollars and sixty-three cents.

It is my conviction that the interest paid upon the obligations has been of no essential benefit to the State; but if the policy of paying such interest be adhered to, it is advisable that the same shall be paid by the Treasurer of the State, at his office in the city of Montgomery. In that way the State will not only save the expenses incident to such payments, but the transaction would be so immediately under the eye and control of the Treasurer that he could detect and prevent errors and mistakes that sometimes occur at some of the agencies by the payment of interest on obligations that are not entitled to it, or by failing to notice with proper care the marks on the bills, and thereby pay more interest than is due. I recommend that the law be so changed as to accomplish the desired end.

At the time of the passage of the act under which the funding obligations were issued, it was not believed that they would, to any serious extent, enter into the circulation of the State, but that they would be sought by capitalists both of large and small means, as a safe and profitable investment, paying a liberal interest in United States currency. It is to be hoped that they will yet, to a large extent, take that course. They have constantly been, since they were issued, and are yet, below par, although they bear such liberal interest, payable in currency; this should not be the case, and probably would not have been, if there had not been so large an amount issued. Probably half the amount would have well answered the purposes of the State, and that amount could have been so handled by the State as to have preserved, in fact or substantially, their par value, or caused them to have been taken as a permanent investment for the benefit of the interest. I think, therefore, that it is the true policy of the State to reduce the amount outstanding to the full extent of any surplus revenue that may be in the treasury; and, to that end, I recommend that you authorize the Governor and Treasurer to retire, at any time, any amount or amounts of those obligations that can, in their judgment, be spared from other necessary and proper State uses, as provided by law.

Believing, as I do, that the interest upon these obligations is of little, if any aid, in keeping them at their face value in their circulation in business transactions, I recommend that

you require the treasurer to cancel all of the interest on such obligations as are paid into the treasury, before paying them out again, which may easily be done by placing an indelible mark on, or cutting a hole through the coupon (on each bill) last to become due, and make the law provide that such mark or hole cut through such last coupon on such bill, shall be considered as cancelled, and all the interest on the same abolished.

These measures, I believe, will cause all who have such obligations, or who intend to obtain them as investments, to do so at once, and hold them, and in that way they will be withdrawn from circulation. This will appreciate them, as I believe, to a large extent, and when the retiring process shall have been repeated to the amount of three or four hundred thousand dollars, the obligations will be current in all ordinary business transactions—a result greatly to be desired.

It can hardly be doubted that a depreciated currency, in the business transactions of the State, will materially retard prosperity, and will subject the holders of such circulating medium to be depredated upon by money rings and speculators.

In view of these facts it becomes our most sacred duty to so manage the financial affairs of the State as to appreciate and secure for our people a sound and reliable currency. Time is necessary to accomplish that result, and our constituents must exercise such patience as may be requisite to the attainment of a result so desirable. These obligations must be withdrawn from circulation—they must be retired and taken up as investments. To retire them requires surplus revenue—more revenue than is necessary for current expenses; as soon as we obtain that surplus revenue then the retiring process can and should commence, and then, too, will the obligations begin to appreciate, but the process should be continued until the funding obligations shall be entirely withdrawn, and then, and not before, will our wants as to a circulating medium be met and the demands of the business interests of the State and its legitimate trade be supplied.

REVENUE.

The revenue law of the State requires thorough and careful revision and amendment, not only in its thirty-ninth section, and the 20th paragraph of its one hundred and second section, but in many other sections and provisions.

The tax upon property in this State can not be increased beyond three-fourths of one per centum, and while that tax imposes heavy pecuniary burdens upon the people, yet they will submit to it without a murmur or complaint if they shall be made satisfied of two things :

First. That such a tax is necessary, in good faith, to discharge the just obligations of the State, and protect its honor.

Second. That the burden of the tax be just and equal upon the property of the people.

All tax money is hard upon the tax payer, and if collected to be wasted upon unnecessary objects, and in extravagant uses, or, if assessed unequally upon property, it will soon become odious. The State, however, must and will be upheld and sustained in its calls upon tax-payers for money to meet just demands against it.

If the Commissioners appointed to adjust the existing debt of the State should happily make such adjustment as will bring the debt within the ability of the people to pay, I am satisfied that they would rejoice, and cheerfully enter upon a more rigid system of economy, which (if they should remain free from misfortunes,) would enable them to settle promptly whenever the tax should become due. They want the just debts of the State paid—the incumbrance of such onerous State indebtedness and taxation lifted—and their property, of whatever kind they possess, relieved.

They, however, feel that the present debt is so large that they can not pay it and support their families, but if it can by any honorable arrangement be placed at a sum which they can reasonably hope to pay, they will not hesitate to meet it, and I suggest that all needful preparations to that end be made by a thorough revision of the revenue laws, so adjusting them as to make the property of each tax-payer pay the same rate of taxation upon a just and properly equalized valuation, and that the amount collected will meet the necessary and economical uses of the State.

In the revision recommended by me, I invite you to look into the very large amount allowed tax collectors for "errors and insolvencies." That there may be "errors" and sometimes, and in rare cases, "insolvencies," is very reasonable, but in many cases the amounts allowed and credited to the collectors, under these heads, are very large, and I fear are allowed by the courts of county commissioners more as a matter of form, because the tax collector asks it, than because after proper and strict examination they find it to be right.

It is difficult to understand how property assessed at a fair value for taxation should not thereafter be worth the tax of three-fourths of one per centum of that assessed value. I know that property assessed for taxes may be destroyed by fire, death or other accidental causes, but in all such cases the evidence could and should be taken in writing, either upon the examination of the witness in open court, or in some other way which may be considered more suitable by the General Assembly. This evil should be corrected.

I might apply, with propriety, much of the preceding paragraph to the action of the boards of equalization in the various counties in the State. There appears to be a want of attention by those boards to the vastly important duties devolved upon them.

By reference to their action in different sections of the State and in different counties in the same section, and, indeed, in different localities in the same county, there is seemingly an inexcusable inequality in the assessed value of property. The members of those boards often appear to take but little interest in the discharge of their duty in equalizing the taxes, greatly to the injury and loss by the State and counties of their revenue, as well as to the discontent of the tax-payers on account of the unjust inequality of their taxes. I earnestly invite your attention to this branch of the revenue law, with the hope that a remedy may be applied that will cure the existing evil.

Equality between the tax-payers in bearing the burdens of the State government, is a right each one may unquestionably claim; and if the State, through the instrumentality of any of its departments, should fail to secure such right, the people will and should complain and protest.

Our courts of county commissioners and equalization boards should by law be required to guard with greater care against the errors to which I referred in this communication.

LANDS BOUGHT BY THE STATE.

The Auditor states as the nearest approximate estimate he can make, without a thorough examination of the books of his office, that the State has bought lands, which were sold under its laws for taxes within the nine years from 1865 to 1874, amounting to (4,800,000) four million eight hundred thousand acres. It is doubtless true that much of this amount consists in lands that have been purchased by the

State several times for taxes assessed against it after the first purchase without the same having been redeemed, and therefore it is impossible to tell without the most accurate examination the true state of the case in this regard or the precise number of acres owned by the State at this time. It would, however, be entirely safe to put the amount now owned by the State at two million acres. Within the same nine years the former owners have redeemed of those lands only two hundred and ten thousand acres (210,000) thus leaving in the ownership of the State probably two million of acres.

The amount of taxes represented by those lands, now held by the State, is over six hundred thousand dollars, while the average amount received annually for the redemption of lands thus bought by the State is only three thousand dollars.

These facts show a state of affairs much at war with the interest of the State as well as that of the tax-payers. That the State should own so large an amount of lands bought for taxes, is almost incredible, and the small amount redeemed by the former owners is evidence to my mind that the whole subject should undergo the most rigid examination by you, that some remedy may if practicable be found and applied.

The lands referred to, after being bought by the State, are almost invariably kept, managed and cultivated, or rented out by and for the use of the former owners free from rent, tax or other expense to them, and it seems that hundreds of thousands of acres are thus held and used, representing, according to the estimate of the Auditor, over six hundred thousand dollars of the tax money due to the State and counties. This should not be. It would be much better for the State to adopt some rule of action by which the lands thus held should pass into the hands of persons who will pay taxes upon and cultivate and improve them, and by their production add to the wealth and prosperity of the State and its citizens.

I recommend that you first offer them to their former owners for taxes and costs, or for such other sum as you may think best, and require that they be taken or redeemed within some time named in the law, and if not by them redeemed upon such terms as you may be willing to allow, then make some other and such other disposition of them as may seem to you proper and best.

It should be, and doubtless is, the desire of all good citizens to see the lands within the limits of the State, owned, occupied and cultivated by those who will pay taxes upon,

improve and make them more valuable, and in that way profit the State and the community.

It would, in my judgment, be better for the State to dispose of them for a sum so small that it would be but little more than a gift, that they might be cultivated and improved, and aid by paying taxes thereafter, than to keep them in their present condition. I trust that you may devise some plan to remedy this growing evil.

STATE INSTITUTIONS.

It affords me pleasure to be able to report the condition and prospects of the University of the State; the Agricultural and Mechanical College, and the Normal School, as highly encouraging. They are fast growing in popular favor and usefulness. Their future benefit to the State as well as to the country at large, cannot be estimated. The high rank they are destined to occupy among the literary institutions of the country should be just cause of congratulation with the friends of education everywhere. They continue to deserve the fostering care of the State.

I also transmit reports from the officers in charge of the Hospital for the Insane at Tuscaloosa, and the Asylum for the Deaf, Dumb and Blind at Talladega, and ask your careful consideration of the recommendations contained in each of said reports.

Those institutions are managed with ability and success, and should be, as they doubtless are, the pride and boast of the State.

I ask your attention to the modification of the fourth section of the act of December 18, 1871, proposed by the officers of the Asylum for the Deaf, Dumb and Blind, as shown in their reports for the fiscal year ending September 30, 1874, requiring the counties to furnish suitable clothing for their indigent deaf, dumb and blind pupils. Some such amendment is necessary, and I trust you will give it a favorable consideration.

PENITENTIARY.

It is with some degree of pride that I invite your attention to the reports of the Inspectors and Warden, embracing also those of the Physician and Chaplain of the State Penitentiary.

An institution that has for some years been a heavy charge

upon the treasury of the State—that by unfortunate management had become so dilapidated and expensive that it was an eyesore to the tax-payers—has, in the first year of my administration, by the management of the present able and faithful Warden and other officers, become so renovated and improved that it will, in truth, pay fully its own expenses, and thereby relieve the State of a heavy burden in keeping it up.

It must not be forgotten that the present Warden has furnished one hundred convict laborers to Mr. Thomas Williams, under a contract made by myself, for the State, with Mr. Williams, under the authority of an act approved March 10, 1875, which number he is bound to furnish for eight consecutive years, in payment for the farm purchased by the State of Mr. Williams. And in any proper estimate you may make of the receipts and expenses of operating the penitentiary, the present Warden will be fairly entitled to a credit for the hire of those convicts furnished under that contract.

During the administration of my immediate predecessor, the State purchased the farm known as the "Penitentiary Farm," of Mr. Williams, and had paid him fifty thousand dollars for it, in eight per cent. bonds of the State, to be taken up by the State as provided in the statute under which that purchase was made.

Under an act approved March 10, 1875, giving me authority to do so, I changed that contract, by which change Mr. Williams returned to the State the fifty bonds, all of which I have caused to be cancelled, together with their coupons, and I have caused the Warden, in the execution of the said contract, to furnish to Mr. Williams the one hundred convict laborers which is to be continued for eight years, in lieu of the bonds and as payment for said farm, at the end of which time the farm will be delivered in the possession of the State as its property, with unencumbered title, and also personal property of the value of six thousand eight hundred and thirty dollars and forty cents, or its value in money, and for which the State holds the note of Mr. Williams properly secured. So that instead of having fifty thousand dollars of the bonds of the State outstanding and bearing interest, as the amount due for that property, they are cancelled and the farm will be paid for by the services of the one hundred convicts for eight years from the first of the year 1875.

The Commissioners have adjusted and allowed, and I have approved claims outstanding against the penitentiary, growing out of the management of the former Warden, Mr. Larkin

Willis, amounting to two thousand and twenty dollars and fifteen cents, all of which has been paid to the parties entitled to receive the money. This action was had under an act approved March 20, 1875.

The commissioners have been unable to make any settlement with Mr. Willis, as authorized under the last above named act. Frequent applications by mail, and otherwise, have been made to him, urging a settlement, but all of no effect.

I think that settlement is too important a matter to be left open, and I recommend that you take some proper action to cause it to take place. It is not advisable that matters so important to the State, as well as to Mr. Willis, should remain unadjusted.

With suitable legislation the penitentiary could and would be made a source of profit to the State.

Under the existing law the judges, before whom criminals are convicted, have the discretionary power to sentence convicts to the Penitentiary, or to hard labor for the county, in many cases punishable by confinement and hard labor; and the practice has grown of late to be very common for the judges to sentence them to county labor, and in some countries where many are convicted, none who are valuable laboring hands are sent to the Penitentiary.

The State pays for feeding prisoners while imprisoned in the counties, which for the last fiscal year amounted to (\$94,020.20) ninety-four thousand, twenty dollars and twenty cents, pays the fees to sheriffs in all cases of insolvent convicts, which last year was (\$5,778.93) five thousand seven hundred and seventy-eight dollars and ninety-three cents, also pays for the arrest of absconding felons, which was for the above named year, (\$3,696.10) three thousand six hundred and ninety-six dollars and ten cents; aggregating one hundred and three thousand four hundred and ninety-three dollars and twenty-three cents, (103,493.23) to which should be added other smaller items paid by the State and not enumerated in this message. It seems but fair under this state of facts that the convicts should be sent to the Penitentiary, that the State may have the benefit of their labor.

It is useless to keep up the Penitentiary as a place of punishment, if those who are convicted of felonies are sent to work for the counties, and in that way leave the Penitentiary as a useless expense to the State.

The judges now have a large discretion on that subject, and can sentence either to the Penitentiary or hard labor for the county, in most cases tried before them.

I think it would be well to modify the law in that particular, so that in all cases in which the term of service does not exceed one year it shall be discretionary with the judges to send them either to the Penitentiary or to the county, as he may think will best promote the ends of justice, but in all other cases the convicts shall be sent to the Penitentiary without any such discretion on the part of judge or jury.

I invite your attention to the suggestions in the report of the Warden upon the subject of escapes. If it be the law that the escape of a convict from a party who has him hired is not an escape from the Penitentiary, then I ask that you change the law so as to make it meet the necessities of the service.

The Warden recommends a repeal of the law requiring him to keep a State officer with the hired convicts. By such repeal you will save considerable expense to the State, but if repealed it should then be made the duty of the Inspectors to visit hired convicts as frequently as you may think it necessary for the purpose of looking into their condition and treatment, which I would be unwilling to neglect or omit, and for such services they should be reasonably compensated.

While I admit that, so far as it has been tested, the experiment of keeping an officer with hired convicts has not worked well, and some change in the law should be made, yet I think it the duty of the State to see that the convicts are humanely and properly treated, and if the State officer be dispensed with, the Inspectors, or some other officer, should be required to perform that duty, which might be done by visiting them at irregular times, and in that mode render a residence at the places unnecessary.

In addition to a law defining and punishing escapes from the State Penitentiary, I invite your attention to the subject of escapes in another point of view. There is at present no well defined responsibility upon those who have convicts in charge under a contract of hiring from the Warden, and, while thus in their charge, make an escape. I think there should be some regulation by law defining the responsibilities and duties of those who hire convicts, and particularly in relation to escapes.

CENTENNIAL.

In conformity to the act of March 20th, 1875, authorizing the Governor to appoint Commissioners to represent Alabama at the Centennial Exposition, I appointed as said Commis-

sioners Hon. A. Cunningham, Hon. Peter Hamilton, Hon. John S. Kennedy, John T. Milner, Esq., and Hon. R. O. Pickett, who accepted and promptly entered upon the discharge of their duties. They have, however, met with many and serious difficulties growing out of the fact that they have no money to enable them to carry out the object and purpose of the act, in securing a fair representation of our "agricultural, mineral, and mechanical" interests, and to have "Alabama represented upon an equal footing with her sister States."

Such representation cannot be had without money. The act provides that no money shall be appropriated out of the Treasury of the State to enable the Commissioners to carry out its own provisions, and I have declined to connect the State, to any extent, with their expenditures or liabilities, thus leaving the whole matter, as far as the State is concerned, alone to private enterprise.

In one aspect of the case it might be proper to require those whose particular interests are represented and benefited to pay the expenses of such representation; but this is done in the name of the State, and as if by the State; and, besides, the other States have mostly, if not all of them, made appropriations to secure a full display and representation of those articles and interests which are the pride of the State as well as the boast of its people.

The leading purpose of a display of such productions at the Centennial Exposition is to satisfy the peoples of other States and countries that they can do better by their industries in Alabama than anywhere else, and in that way and by such means induce and promote immigration to the State. Immigrants coming to Alabama and making it their home, will not only profit the particular persons who may own the lands upon which they may locate, or the mines or manufactories into which they may enter, but in much larger sense would they profit the State by developing and adding to its industries, wealth and power; and in the proportion that such industries would increase the population and wealth of the State, the taxes of the people could with propriety be reduced.

Now, if this enterprise is worth going into at all, it is certainly worth being well done. I would regret to see Alabama pretend to be represented by a display of her productions unless it were a full and fair representative display. Such a result, I fear, would tend to retard and prevent immigration, instead of inducing it.

In view of these facts and considerations, it would look to

be proper for the State either to have nothing to do with it, or enable the Commissioners to have the ends and purposes of the law carried out, by making a moderate appropriation for that purpose.

PUBLIC SCHOOLS.

By reference to the report of the Superintendent of Public Instruction, you will understand how that department of the public service has been conducted for the past fiscal year. The amount of money at his command for the support of schools is not large, and, considering the impoverished condition of the people of the State, as well as the large indebtedness of the State itself, it can hardly be wondered at that the State has not placed a greater sum at his command for the maintenance and support of our common school system.

A people burdened with necessary personal indebtedness, as well as the great amount of State taxation, cannot well be expected to furnish means sufficient for an extensive system of common schools. It is greatly desired and confidently hoped that the dawn of prosperity is in full view, and that soon the State may be able to enlarge her common school system to an extent that will amply meet the most sanguine hopes and wants of her people.

The Constitution recently ratified by the people, has changed the amount due to the School Fund out of the general revenue, from one fifth of the net revenue to one hundred thousand dollars, unless the General Assembly should believe that the financial condition of the State would justify a larger appropriation.

The Constitution of 1868 first gave the one-fifth of the general revenue to schools, which has been kept up until the present Constitution made the change, and the present Constitution was framed a few days before the end of the fiscal year, ending 30th September, 1875, but ratified by an overwhelming majority of the qualified voters of the State, on the 16th day of November, 1875.

A question arose in the minds of some of the State officers as to the effect the Constitution would have upon the revenue of the current year. Whether the schools should receive, during the current year, the one-fifth of the general revenue, or the one hundred thousand dollars, as provided in the new Constitution. This question was submitted to the Attorney General who decided that as soon as the present Constitution became operative the appropriation of one-fifth of the annual revenue, made by the Constitution of 1868, would be

repealed or annulled; and that while the new Constitution does not itself set apart any portion of the revenue, it requires the General Assembly to appropriate not less than one hundred thousand dollars for the support of the public schools, and to increase the fund devoted to educational purposes as much as the condition of the State would allow. I invite your special attention to this fact that you may at once make the appropriation, so that the amount may be under the legal control of the Superintendent, and that the schools may suffer no detriment for the want of it. The money is needed for and will be used in keeping up the schools for the current year, as has been the case each year since 1868-69, that being the first fiscal year under the Constitution of 1868, and also the first year under the then new Revenue law of December 31st, 1868. From reliable authority I learn that Auditor Reynolds declined to make an estimate for the one-fifth of the revenue of that year upon the alleged ground that he had no data or basis for an estimate, no revenue having been at that time collected under the Revenue Law of 1868; but he required the Superintendent to carry on the schools for that then current year, if carried on at all, with the other school money at his command, consisting of one hundred thousand dollars, from the general revenue, (the same as provided by the present new Constitution) together with other funds set apart for educational purposes, under section 957 of the Revised Code of Alabama. But for the year 1869-70, the case was different. Auditor Reynolds made his estimate of the amount of the general revenue for that year, based upon the receipts for the year 1868-69. The schools received the fifth of the revenue collected in the year 1869-70, and the same was used and applied in keeping up the schools for that year, and not for any past year, and such I am informed by the Auditor and his chief clerk, has been the case every year since that time—each current year furnishing one-fifth of its general revenue, the estimate for which was based upon the receipts of the last preceding year; and that fifth, when received, was applied to the schools of the then current year; in every case the fifth of the revenue, thus furnished, was used for the support of the schools of the year that furnished it. Such is true of the present year. Under the able management of the present Superintendent there is no debt of the year 1874-75 to be paid out of the appropriation for the year 1875-76, and I may well suppose that there are no contracts for the present year yet made, except such as may have been made under and in obedience

to the provisions and requirements of the present Constitution.

The new Constitution, so largely endorsed and ratified by the voters of the State, in its schedule provides that such of the laws of the State in force at the time of its ratification by the people as may be consistent with its provisions, shall remain in force until altered or repealed by the General Assembly, and of course such as are inconsistent are thereby repealed or abrogated. The inconsistency between the one-fifth of the general revenue and one hundred thousand dollars of that revenue, or such additional amount as you may appropriate, is too apparent to be doubted or debated. One or the other must fall, and it will hardly be contended by any one that the Constitution of 1875, in its provisions on that subject, did not repeal and abrogate the provisions for the one-fifth as given in the Constitution of 1868.

STATE CERTIFICATES.

In compliance with the act approved 20th March, 1875, the State Treasurer made a complete record of the number and denomination of each bill, or note, known as State Certificates, in the treasury, except that held as a special deposit. As soon as the record was completed I caused each note or bill to be carefully examined and compared by number and denomination with the record made by the Treasurer, and then caused them to be burned in my presence. The denomination and amount of notes so destroyed are as follows: Twelve thousand, seven hundred and seventy-three five dollar bills; six thousand, six hundred and seventy ten dollar bills; six thousand, seven hundred and ninety-four twenty dollar bills; five hundred and eighty-four fifty dollar bills, and five hundred and sixty-five one hundred dollar bills—making an aggregate amount of three hundred and fifty-two thousand, one hundred and forty-five (\$352,145) dollars. The requirements of the act were fully complied with, and the record, with the indorsement upon it, is now in the office of the Treasurer of the State.

IMMIGRATION.

In pursuance of an act approved February 11th, 1875, I appointed C. F. Seviars, Commissioner of Immigration, and A. Murdock, T. H. Herndon, Price Williams, D. Clopton, B.

M. Woolsey, G. G. Lyon, W. H. Chambers, J. C. Foster, Daniel Coleman, J. R. Hawthorne, L. M. Stone, E. S. Shorter, S. A. Fordyce and W. V. Chardavoyne as a Board of Directors for the State of Alabama.

While no report has been made to me of their proceedings or success, yet I understand they have had several meetings with reference to the important subject committed to their charge, and I trust with flattering promise of success. Mr. Seviars, as Commissioner, has been particularly energetic and active, and deserves well of the friends of the cause of immigration.

We now have a Constitution made and ratified by the people of the State, and under which they are alike protected in life, liberty and property. We can invite immigrants to come and live among us with perfect confidence, and assure them that they will at all times have the most ample protection of a just, generous and permanent government. All who may feel willing to become citizens of Alabama will find the most inviting field for profitable employment in any or all of the departments or branches of business. Great inducements are offered for the establishment of manufactories in many localities of the State, where abundant water power can be obtained and used profitably, and in close proximity to the raw material to be manufactured.

The great increase in the discovery and development of the minerals of the State embedded in our mountains, as well as the rapidly increasing demand for such productions, give promise of the most profitable employment to immigrants. We should, under all proper circumstances, avail ourselves of the many opportunities that may be presented to invite and induce immigrants to come and make Alabama their home—offering them such inducements as may be consistent with our duty to others as well as to the State.

I feel that I can not too strongly urge this subject upon your favorable consideration. Alabama is an inviting field for immigrants, and she needs them. Her manufacturing, mechanical, agricultural and mineral interests are all in a condition to be made available and used by the energetic and industrious immigrant, not only yielding to him the most liberal profits, but also adding materially to the prosperity, wealth and power of the State.

REPORTS.

Military.—I refer you to the report of the Adjutant-Gen-

eral of this State as to the condition of affairs in the military department. During the fiscal year companies have been organized throughout the State, and I regret my inability to supply them all with arms. I have succeeded, however, in procuring a sufficient number to arm eleven companies, who have united with those companies armed by my predecessors, and organized two regiments, of whom Alabama may justly feel proud. It was the citizen soldiery of the country that our ancestors relied upon to preserve peace at home and repel foreign invasion. A well organized militia should be maintained and encouraged in every State in the Union, not only to preserve order when the civil authorities are powerless, but to do away with the necessity of supporting a standing army, so repugnant to the feelings of every friend of free government.

COMMISSIONERS TO EXAMINE STATE OFFICES.

Under section seventy of the Revised Code, I appointed O. R. Blue, B. H. Screws and I. W. Roberts, sr., to make the examination therein required, and herewith transmit their report, in writing and under oath.

INDUSTRIAL RESOURCES.

I have received no report from the Commissioner of Industrial Resources, and consequently have no information from that department.

PARDONS.

I herewith transmit a list of cases in which pardons, reprieves and commutations have been granted, and fines and forfeitures remitted, during the fiscal year ending 30th September, 1875, together with the reasons therefor.

ALABAMA AND CHATTANOOGA RAILROAD LANDS.

It will be remembered that when the State of Alabama loaned to the Alabama and Chattanooga Railroad Company the two millions of straight bonds, the company executed a mortgage, to secure the State against said loan, upon the lands which had been donated by Congress to the State to aid in constructing that road. The mortgage thus executed by the company was upon the lands, and also upon any and

all interest which the company then had or might thereafter have in and to the same. The State, by an act approved February 11th, 1870, authorized the company to sell the lands, or portions of them, and apply the proceeds of such sales, as far as they would go, to the payment of the two millions thus loaned by the State to the Alabama and Chattanooga R. R. Co.

It is reported to this department, by an agent who was appointed by my predecessor, to make an examination into that subject, as well as by others, that in the sales, or pretended sales, of much of those lands, which are claimed to have been sold and bought by different parties, frauds have been perpetrated upon the State by claiming that many sales were made, which, in truth, were never made, notwithstanding bonds for title were given. Other frauds are charged and believed to have been committed in various ways, to the serious detriment of the State. It is also charged that the agent of the company to sell those lands received in money the sum of thirty-three thousand four hundred and forty-seven and 97-100, not a dollar of which was ever paid to the State, as required by the act referred to.

In view of this fraudulent conduct charged upon the company and its agent, (and in some instances it is charged that the pretended purchasers participated in the frauds,) I ask that you refuse to allow title to be made, in any of those cases, to the party claiming to be a purchaser, until you shall become satisfied of the *bona fides* of the transaction. The company has never had the legal titles to those lands, and of course can never make a title of any value, unless the State shall see proper to pass it to the company, which will not likely be done.

The legal title is in the State, and will not pass out without its consent. The State, then, has the power to protect its rights in this regard, and I trust it will do it. I think it advisable that you cause an investigation to be made into those charges, with a view to having all fraudulent sales set aside and held for nought.

SOUTH AND NORTH RAILROAD.

I ask your attention to the condition of the title to the lands donated by Congress to aid in the construction of the South and North Alabama Railroad. The road has been completed, and the company is justly entitled to have a transfer of the title to those lands from the State. The opening

and successful operating of that road has been the means of bringing into the State a large immigration, who have purchased lands of the company, under assurances that they would obtain proper titles. Those purchasers are becoming dissatisfied because their titles have not been perfected, and it has caused a check in the tide of immigration. If you will enable the company to make titles to those lands when sold, I believe it would not only be an act of justice to the company, but one that would greatly benefit the State. I refer, of course, to such lands as equitably belong to the company under the grant.

SUITS BY THE STATE.

I recommend that you authorize the Governor of the State, whenever in his judgment it becomes necessary for the State to sue on the official bond of a State officer, or the official bond of one who has been a State officer, to institute such suit, either in the county of the residence of said officer, or retired officer, or in the county of the residence of any one of the sureties of said party, or in the county of Montgomery, as he may deem best.

I also invite your attention to the suggestion of the warden of the penitentiary, asking authority to sue in all cases for dues to the penitentiary, or on contracts with him as warden, in the county of Elmore.

You will understand that the evidence in such cases is usually, if not always, in the county in which the penitentiary is located. That the duties of the warden are not only onerous, but require almost his constant presence in or about that institution. It is probable he may have suits with parties who live in different counties, and it would not be possible for him to attend the courts in those counties, consistent with his other duties as warden, and I approve the suggestion and recommend that he be allowed to sue in all such cases in the county of Elmore, or in the county of the residence of either defendant in the suit, as the warden may prefer.

Convicts are being hired to parties living in different counties of the State, and it would be a heavy expense to the State, as well as a great hazard of its interests, to require the Warden to litigate with them in their own counties in the event litigation should become necessary. I think it would be well to make such change in the law as I have suggested.

ECONOMY AND REFORM.

Since the repeal of the "recognizance law," the feeding of prisoners while imprisoned in the counties is becoming a very heavy expense to the State. For the year ending September 30th, 1875, notwithstanding the personal recognizance law was in force for more than four months of the year, the cost to the State amounted to (\$94,020.20) ninety-four thousand and twenty dollars and twenty cents, and I am quite confident that unless some remedy shall be applied, it will exceed that sum the current year. What remedy can be applied?

In the first place I fear that our judges who preside in criminal cases are not quite as strict as they should be in applying the rules on the subject of continuances in that class of cases. I trust you will examine with care into this subject and see what can be done, and whether you can improve the law in relation to continuances in such cases. Also, whether any of the charges for feeding prisoners can be with propriety and justice reduced. The law should require the prisoners in jail to be tried and the jail cleared of its inmates, unless continued in the due execution and enforcement of the law, and if at any one term of the court the judge should not be able to reach and dispose of all of the cases of those in jail, then in every such county the judge of that court or circuit should be required to hold an adjourned term of his court at the earliest practicable day in such county, to continue until all such cases shall be tried or otherwise legally disposed of.

There is also the item of conveying convicts to the Penitentiary. For the last fiscal year it cost the State fifteen thousand seven hundred and sixty-one dollars and sixteen cents, (15,761.16) a very large increase over former years, and it grows to a great extent out of the fact that under section 3862 of the Revised Code, the judges in many cases allow the sheriff the full number of two guards to each prisoner, when in truth it is rarely, if ever necessary, and never in a case where there are several prisoners. The prisoners can be well and safely ironed, and from three to a half dozen guards could convey with entire safety three or four times their number of convicts to the Penitentiary. This is a rapidly growing evil and should be arrested by a proper modification of section 3862 of the Revised Code.

I would require all applications to the judge for guards under that section to be made in open court, and it should be made the duty of the solicitor of the circuit to resist any un-

necessary enlargement of the number of guards, by order of the judge. Some such modification of that section of the Revised Code should be made.

Escapes from county jails have become too frequent, showing that the officers are negligent in the discharge of their duties or the jail is insufficient. In either event legislation is needed.

The Executive of the State is often asked to offer rewards for the arrest of prisoners who have escaped from the jails of the counties. If in such cases the counties should be made to pay the reward offered by the Governor, in the event the escape was made because of a defective jail, the jails would be repaired and made strong, and an escape from them would be of rare occurrence.

As an evidence that this Department has endeavored to practice economy and reform during the fiscal year just closed, I refer to the report of the Treasurer, which shows that from an appropriation of fifteen thousand dollars allowed for contingent expenses, I have only expended the sum of three thousand eight hundred and five dollars and twenty-six cents. I have been pleased to observe that the heads of the other Departments of the State government have inaugurated a system of retrenchment that reflects credit upon them.

CONCLUSION.

Owing to the brief period allowed by the present Constitution for your session, I have refrained from alluding to National affairs, and have confined my message to the material interests of our own State, recommending to your consideration such measures as I have deemed expedient and proper.

And now, having to the extent of my ability discharged the obligations as the Executive of the State, imposed by its organic law, I leave the great and vital interests of the people of this great and growing commonwealth in your hands, with entire confidence that they will suffer no detriment while in your keeping.

Wishing you health, prosperity and happiness, and that your every act may redound to the good of the State and the honor of yourselves, and meet the cordial approval of your constituents, I now have the honor to inform you that I am ready to co-operate with you in the duties of the session.

GEORGE S. HOUSTON.

Executive Department, Dec. 28th, 1875.

Mr. Greene of Lee, offered the following resolution, which was adopted:

Resolved, That the message of his excellency the governor be laid on the table and five thousand copies be ordered printed.

Mr. Stallworth offered the following resolution, which was adopted:

Resolved, That that portion of the governor's message in reference to the changes in the revenue law be referred to the committee on ways and means, with instructions to report thereon by bill or otherwise on Thursday next, or earlier, if practicable.

On motion of Mr. Woolf, the house adjourned until tomorrow morning 11 o'clock.

SECOND DAY.

WEDNESDAY, December 29, 1875.

The House met pursuant to adjournment.

Prayer by the Rev. Dr. Gwin.

Upon the call of the roll the following members answered to their names:

Messrs. Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bonner, Boyd, Bozeman, Brewer, Brantley, Brown, Cashin, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Strong, Stribling, Tate, Troup, Wharton, Wilson, Wood of Marengo, Woolf and Wynne—78.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, Dec. 29, 1875.

Mr. Speaker:

The senate concurs in house resolution fixing Tuesday next,

at 12 o'clock m., as the time for the assembling of the two houses of the general assembly in joint convention for the purpose of electing solicitors for the several judicial circuits of this State.

S. B. BREWER,
Secretary.

On motion of Mr. Price, the call of the counties was suspended until one o'clock to-day.

SPECIAL COMMITTEES.

The speaker announced the following special committees :
Committee on Rules: Messrs. Grant, Barnett, Woolf, Wood of Talladega and Mr. Speaker Anderson, chairman.

Committee under the resolution of Mr. Price : Messrs. Price, Beirne, Woolf, Barnett, Greene of Lee, Dillon, Gibson, Wood of Talladega and Coon.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Huey, indefinitely, on account of sickness.

By leave, bills were introduced :

By Mr. Barnett—

H. B. 1. Joint resolution suspending the operations of section (14) fourteen of an act entitled an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

Also—

H. B. 2. To repeal section (39) thirty-nine of an act entitled an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Price—

H. B. 3. To appropriate one hundred thousand dollars to be applied to the support and maintenance of the public schools in the State of Alabama, as required by article 13, section 5, of the constitution ;

Which bills were severally read once and ordered to a second reading on to-morrow, immediately after the reading of the journal.

Mr. Baldwin offered the following resolutions :

Resolved, That this house has heard, with deep regret, of the death of Hon. Willis Merriwether, a member of this house from the county of Wilcox.

Resolved, That as a testimony of respect to the memory of

the deceased, the officers and members of this house will wear the usual badge of mourning for the space of thirty days.

Resolved, That as a further mark of respect to the deceased, that the house now adjourn until to-morrow morning, ten o'clock.

After appropriate remarks by Messrs. Baldwin, Smith of Bullock and Harris of Dallas, the resolutions were adopted, and the house stood adjourned until to-morrow morning, ten o'clock.

THIRD DAY.

THURSDAY, Dec. 30, 1875.

The House met pursuant to adjournment.

Mr. Speaker Anderson in the chair.

Prayer by Rev. Dr. Gwin.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Brantly, Brown, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—81.

Journal of yesterday read and approved.

BILLS ON THEIR SECOND READING.

The bills—

H. B. 1. Joint resolution suspending the operations of section fourteen of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

H. B. 2. To repeal section thirty-nine (39) of an act to

establish revenue laws for the State of Alabama, approved March 19, 1875;

Were severally read the second time and referred to the committee on ways and means, with instructions to report to-morrow.

The bill—

H. B. 3. To appropriate one hundred thousand dollars to be applied to the support and maintenance of the public schools in the State of Alabama, as required by article xiii, section 5 of the constitution;

Was read the second time and referred to the committee on education.

CALL OF THE COUNTIES.

Upon the call of the counties bills were introduced.

By Mr. Crews—

H. B. 4. To amend section 43 of an act to regulate elections in the State of Alabama, approved March 3rd, 1875.

By Mr. Grant—

H. B. 5. To amend section 3279 of the revised code.

By Mr. Greene of Jefferson—

H. B. 6. To constitute the city of Birmingham a separate school district and for the regulation of the public schools therein.

Also,

H. B. 7. To authorize the trustees of the Alabama Insane Hospital to sell certain lands therein named.

By Mr. Ross—

H. B. 8. To amend sub-division twenty of section 102 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

Also,

H. B. 9. To amend section 3 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Jenkins—

H. B. 10. To repeal an act approved March 30th, 1870, to require the county treasurer of Wilcox county to pay the fees of certain officers in certain cases.

By Mr. Edwards—

H. B. 11. To regulate the right of voting in this State;

Which bills were severally read once and ordered to a second reading on to-morrow immediately after the reading of the journal.

By Mr. Maples—

H. B. 12. Joint memorial to the congress of the United States relative to the public lands;

Which was read and referred to the committee on federal relations.

Mr. Greene of Lee, offered the following resolution, which was adopted :

Resolved, That all that portion of the message of his excellency which has not been otherwise disposed of, be referred to the special committee on the constitution, whose duty it shall be to consider what legislation, if any, is necessary to carry into effect the several recommendations contained in said message, and to report by bill, bills or otherwise, as they may deem best.

Mr. Woolf offered the following resolution, which was adopted :

Resolved, That it be referred to the committee on printing to enquire and report what number of the documents accompanying the Governor's message should be printed for the use of this house.

Mr. Price offered the following joint resolution, which was adopted :

Resolved by the House of Representatives, (the senate concurring therein,) That three hundred copies of the new constitution of the State of Alabama be printed in pamphlet form for the use of the general assembly.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
December 30, 1875. }

Mr. Speaker :

The senate has adopted the following joint resolution :

Resolved by the Senate, the House concurring, That a committee be raised, of five, consisting of three from the house and two from the senate, to be appointed by the presiding officers of said bodies respectively, to whom shall be referred so much of the Governor's message as refers to the purchase of lands sold for taxes by the State, and, also, to fraudulent disposal of A. & C. R. R. lands to the detriment of the interest of the State, whose duty it shall be to investigate thoroughly and report as early as practicable as to the true status of said lands. Committee on the part of the senate, Messrs. Snodgrass and Carmichael.

S. B. BREWER, Secretary.

On motion of Mr. Price, the house proceeded to the consideration of the senate message just received, and concurred in the joint resolution.

Committee on the part of the house: Messrs. Price, Woolf and Dillon.

On motion the house adjourned until to-morrow morning, 11 o'clock.

FOURTH DAY.

FRIDAY, December 31, 1875.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Gwin.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Clements, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee Leslie, Lewis, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard. Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—87.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Herman, Chambers and Betts until Monday, and Mr. Gilmer of Montgomery, until to-morrow.

BILLS ON THEIR SECOND READING.

The bill—

H. B. 4. To amend section 43 of an act to regulate elections in the State of Alabama, approved March 3d, 1875;

Was read the second time and referred to the committee on privileges and elections.

The bill—

H. B. 5. To amend section 3279 of the Revised Code ;

Was read the second time and referred to the committee on the judiciary.

The bills—

H. B. 6. To constitute the city of Birmingham a separate school district and for the regulation of the public schools therein.

H. B. 9. To amend section three of an act to establish revenue laws for the State of Alabama, approved March 19th, 1875 ;

Were severally read the second time and referred to the committee on education.

The bills—

H. B. 7. To authorize the trustees of the Alabama Insane Hospital to sell certain lands therein named.

H. B. 8. To amend subdivision twenty of section one hundred and two of an act to establish revenue laws for the State of Alabama, approved March 19, 1875 ;

Were severally read the second time and referred to the committee on ways and means.

The bill—

H. B. 10. To repeal an act approved March 30th, 1870, to require the county treasurer of Wilcox county to pay the fees of certain officers in certain cases ;

Was read the second time and referred to the committee on fees and salaries.

The bill—

H. B. 11. To regulate the right of voting in this State ;

Was read the second time.

Mr. Purcell moved to amend by adding the following :

“Provided, that no elector shall be prohibited from voting whose receipt has been lost or destroyed, and who shall have made satisfactory proof to the inspectors that his tax has been paid.”

Mr. Baldwin moved to lay the bill on the table. Lost—yeas 26, nays 56.

Those who voted yea are—

Messrs. Aldridge, Baldwin, Bennett, Blevins, Boyd, Boze-
man, Brantley, Cashin, Cook, Coon, Crews, Fagan, Franklin,
Harris of Dallas, Harris of Perry, Lee, Lewis, Martin, Math-
ews, Mitchell, Reese, Reid, Shepard, Wharton, Wood of Ma-
rengo, and Wynne—26.

Those who voted nay are—

Messrs. Speaker, Andrews, Barnett, Barron, Beirne, Bell, Billups, Bliss, Bonner, Brewer, Baker, Brown, Clements, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gulkedge, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Nelson, Price, Prowell, Purcell, Rice, Ross, Sims, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wilson, Wood of Talladega, and Woolf—56.

On motion of Mr. Greene of Lee, the bill and amendment were referred to the committee on the judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
December 31st, 1875.

Mr. Speaker :

The senate has adopted the following joint resolution :

Resolved, That so much of the Governor's message as refers to the public schools and public school fund of the State be referred to a joint committee, consisting of two upon the part of the senate and three upon the part of the house, to enquire into and report the condition of the same and the amount due from the State.

Committee on the part of the senate : Messrs. Cobb and Cunningham.

S. B. BREWER,
Secretary.

On motion of Mr. Hamilton, the house proceeded to the consideration of the senate message just received, and concurred in the joint resolution.

Committee on the part of the house : Messrs. Chambers, Woolf and Clements.

REPORTS FROM COMMITTEE.

Ways and Means.

Mr. Barnett, from the committee on ways and means, reported favorably to the bill—

H. B. 1. To suspend the operation of section 14 of an act

to establish revenue laws for the State of Alabama, approved March 19, 1875;

Which bill was read the third time and passed—yeas 82, nays 0.

Yeas—Messrs. Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Brantley, Brown, Cashin, Clements, Cook, Coon, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—82.

Also, from same committee, favorably to the bill—

H. B. 2. To repeal section 39 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

Which bill was read the third time and passed—yeas 80, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Clements, Cook, Coon, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Maples, Martin, Matthews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Woolf and Wynne—80.

CALL OF THE COUNTIES.

Upon the call of the counties, bills were introduced:

By Mr. Aldridge—

H. B. 13. An act in relation to holding chancery courts in the county of Blount.

By Mr. Crews—

H. B. 14. To amend section 41 of the act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Tate—

H. B. 15. To provide for more efficiency in working public roads in Alabama.

Also—

H. B. 16. To regulate the fine and forfeiture fund of Butler county.

By Mr. Grant—

H. B. 17. To repeal an act to prohibit attorneys in certain cases from practicing their profession in the probate and chancery courts.

By Mr. Townsend—

H. B. 18. To repeal an act to prohibit the selling, giving away, or otherwise disposing of spirituous, vinous, or malt liquors in three miles of Harmony church, Limestone county, Alabama, approved January 29, 1875.

By Mr. Woolf—

H. B. 19. An act in relation to lands sold for taxes and purchased by the State.

By Mr. St. John—

H. B. 20. To amend section one of an act to provide for the funding of the domestic debt of this State, approved December 19, 1873—approved February 13, 1875.

By Mr. Brewer—

H. B. 21. To amend subdivision 4 of section 5 of an act to establish revenue laws for the State of Alabama.

By Mr. Price—

H. B. 22. To cancel the interest upon the re issue of State obligations.

Also—

H. B. 23. To authorize the Governor and Treasurer of the State to retire and destroy the obligations of the State issued under and by authority of an act approved December 19, 1873.

By Mr. Jones of Russell—

H. B. 24. To amend an act to provide for the funding of the domestic debt of this State.

By Mr. Brown—

H. B. 25. To provide for the election of circuit solicitors.

By Mr. Holloway—

H. B. 26. To repeal subdivisions 17, 18 and 19 of section 103

of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

Which bills were severally read once and ordered to a second reading on to-morrow.

By Mr. Bozeman—

H. B. 27. To declare members of the General Assembly ineligible to certain offices;

Which bill was read once.

Mr. Brown moved to lay the bill on the table.

Lost. Yeas 38, nays 45.

Those who voted yea are—

Messrs. Speaker, Barnett, Bennett, Billups, Bliss, Boyd, Baker, Brown, Edwards, Espy, Fagan, Fielder, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Holloway, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Nelson, Purcell, Reid, Rousseau, Shepard, Stallworth, Stevens, Straughn, Townsend, Wharton, Wilson, Wood of Marengo and Wynne—38.

Those who voted nay are—

Messrs. Allen, Andrews, Baldwin, Barron, Beirne, Bell, Blevins, Bonner, Bozeman, Brewer, Brantley, Cook, Coon, Crews, Davis, Dillon, Farriss, Forsyth, Franklin, Gibson, Harris of Dallas, Heaton, Higgins, Jenkins, Lee, Maples, Martin, Mathews, McDuffie, Mitchell, Price, Prowell, Reese, Rice, Ross, Sims, Smith of Bullock, Smith of Franklin, St. John, Stribling, Tate, Troup, Wood of Talladega and Woolf—45.

And the bill was ordered to a second reading on to-morrow.

Mr. Blevins offered the following resolution:

Resolved, That it is in conflict with the spirit and genius of democratic and republican institutions, as well as the spirit of all constitutional law, for a legislative body to suffer any of its members to be elected to any office to be filled by said body—that it is unwise and unsafe to allow any legislator to vote on any question or law fixing the fees and emoluments attaching to an office subsequently to be filled by himself, and to which he may have been elected during his membership.

On motion of Mr. Brown, the resolution was laid on the table—yeas 62, nays 10.

Those who voted yea are—

Messrs. Speaker, Andrews, Barron, Beirne, Bell, Bennett, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Forsyth,

Franklin, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Whar-ton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—62.

Those who voted nay are—

Messrs. Allen, Aldridge, Baldwin, Blevins, Bozeman, Brantley, Cook, Coon, Fagan, Gibson, Gilmer of Lawrence, Harris of Dallas, Jenkins, Lee, Maples, Martin, Rice and Tate—18.

Mr. St. John offered the following resolution, which was adopted :

Resolved, That a committee of three be appointed by the Speaker to ascertain the number of pages necessary to attend to the business of this house during the session, and report at their earliest convenience, and report by bill or otherwise.

Mr. Barnett offered the following resolution, which was adopted :

Resolved by the house of representatives, that the Auditor be, and he is hereby instructed to make out in tabular form, from the records in his office, a statement or report at the earliest practicable moment, for the use of the house, which shall show the amount in numbers of the lands sold at tax sales by the tax collectors of this State, and which have passed to the State under the provisions of the statute of limitations since the year 1865 ; and the Auditor is further instructed to make each tabular report to show by counties the number of acres which have so passed to the State in each county thereof, and the amount of taxes for which such lands were sold, and the accumulated costs and taxes on the same.

On motion of Mr. Stribling, the house adjourned until Monday morning at ten o'clock.

SIXTH DAY.

MONDAY, January 3, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll, the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Clements, Cook, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—87.

Journal of Saturday was read and approved.

By leave, Mr. Grant made the following report:

Mr. Speaker:

The committee on public printing, to which was referred the resolution to inquire what number of the documents accompanying the Governor's message should be printed for the use of this house, report in favor of printing one thousand copies each of the List of Pardons granted, Report of Insane Asylum, Report of Deaf, Dumb and Blind Asylum, and of the Warden of Penitentiary.

L. W. GRANT,
Chairman.

The report was received and adopted.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Bozeman for to-day,

and Mr. Gilmer of Lawrence for three days, on account of sickness.

Mr. Witherspoon asked leave of absence for Mr. Cockrell, indefinitely, on account of sickness.

Mr. Price moved that the question of leave of absence be postponed until his arrival. Carried.

Leave of absence was granted Mr. Harris of Dallas, on account of sickness in his family.

Mr. Clements offered the following resolution, which was adopted:

Resolved, That five hundred copies each of the reports of the superintendents of the insane asylum and the deaf, dumb and blind asylum, respectively, be set apart for distribution by said officers.

BILLS ON SECOND READING.

The bills—

H. B. 13. In relation to holding chancery courts in the county of Blount;

H. B. 17. To repeal an act to prohibit attorneys, in certain cases, from practicing their profession in the probate and chancery courts;

H. B. 25. To provide for the election of circuit solicitors;

H. B. 27. To declare members of the general assembly ineligible to certain offices;

Were severally read the second time and referred to the judiciary committee.

The bills—

H. B. 14. To amend section forty-one of the act to establish revenue laws for the State of Alabama, approved March 19, 1875;

H. B. 21. To amend subdivision four of section five of an act to establish revenue laws for the State of Alabama;

H. B. 26. To repeal subdivisions 17, 18 and 19 of section 102 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

Were severally read the second time and referred to the committee on ways and means.

The bill—

H. B. 18. To repeal an act to prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors in three miles of Harmony church, Limestone county, Alabama, approved January 29, 1875;

Was read the second time and referred to the committee on temperance.

The bills—

H. B. 20. To repeal an act to amend section one of an act to provide for the funding of the domestic debt of this State, approved December 19, 1873, approved February 13, 1875 ;

H. B. 22. To cancel the interest upon the re-issue of State obligations ;

H. B. 23. To authorize the Governor and Treasurer of the State to retire and destroy the obligations of the State issued under and by authority of an act approved December 19th, 1873 ;

H. B. 24. To amend an act to provide for the funding of the domestic debt of this State ;

Were severally read the second time and referred to the committee on finance.

The bill—

H. B. 15. To provide for more efficiency in working public roads of Alabama ;

Was read the second time.

Mr. Andrews moved to amend by striking out the words "ten" and "twenty," where they occur in the first section, and inserting in lieu thereof the words "five" and "ten."

The amendment was adopted.

Mr. Billups moved to amend by striking out the word "locality," where it occurs in the 2d section, and inserting in lieu thereof the word "beat." Adopted.

And the bill was referred to committee on public roads and highways.

The bill—

H. B. 16. To regulate the fine and forfeiture fund of Butler county ;

Was read the second time, and on motion of Mr. Smith of Franklin, was amended so as to make it a general bill, applicable to the entire State, and referred to the committee on the judiciary.

The bill—

H. B. 19. In relation to lands sold for taxes and purchased by the State ;

Was read the second time and referred to the special joint committee on that subject.

CALL OF THE COUNTIES.

Upon the call of the counties bills were introduced :

By Mr. Stribling—

H. B. 28. To tax the property of rail road companies in this State;

By Mr. Crews—

H. B. 29. To amend section 112 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

By Mr. Tate—

H. B. 30. To enforce the collection of poll tax;

Also,

H. B. 31. To require fees paid clerks in certain cases;

By Mr. Stevens—

H. B. 32. To define the rights and liabilities of married women;

By Mr. Martin (with petition)—

H. B. 33. To repeal an act, approved March 15th, 1875, to prevent the selling, giving away or otherwise disposing of spirituous, malt or vinous liquors within five miles of Orrville, Dallas county;

By Mr. Brantley—

H. B. 34. To repeal an act, approved March 18, 1875, to prevent the sale or otherwise disposing of spirituous, malt or vinous liquors, within three miles of McKenzie's church, in Monroe county, and within the beat known as Harrell's cross roads, in the county of Dallas;

By Mr. Maples—

H. B. 35. To repeal section 3519 of the Revised Code.

By Mr. Herman—

H. B. 36. To enforce the collection of rent upon store-houses, etc.;

Also,

H. B. 37. To prohibit the tax collector of Lauderdale county from receiving State obligations for county taxes;

Also,

H. B. 38. To repeal an act, approved October 18th, 1868, entitled an act for the protection of *bona fide* purchasers;

Also, (with petition)—

H. B. 39. To repeal an act to prohibit the selling or giving away of spirituous or vinous liquors within three miles of the Baptist church at Rodgersville, in the county of Lauderdale, approved December 17, 1874;

Also,

H. B. 40. To repeal so much of section 15 of the revenue law, approved March 19, 1875, as adds a penalty of three per

cent. upon all taxes unpaid on the 1st day of February, and a monthly increase of two per cent. thereafter ;

By Mr. Townsend—

H. B. 41. To enhance the value of State obligations ;

By Mr. Rice—

H. B. 42. To repeal an act to prohibit the sale or otherwise disposing of spirituous, vinous, or malt liquors, within three miles of Locust Grove Baptist church, in Madison county ;

By Mr. Beirne—

H. B. 43. To fix and regulate the time of holding the circuit courts of the fifth judicial circuit of Alabama ;

Also,

H. B. 44. To limit the time in which prosecutions hereafter instituted under the bastardy laws of this State must be commenced ;

By Mr. Woolf—

H. B. 45. To provide for the payment of costs in criminal cases, in which prosecutions are abated by reason of the death of the defendants ;

Also,

H. B. 46. To provide for the payment of costs in criminal cases in which indictments are withdrawn and filed ;

By Mr. St. John—

H. B. 47. To repeal an act to prohibit the sale of spirituous, vinous or malt liquors, within two miles of the Grange Hall, and church at Oleander, Marshall county, Alabama, approved March 17, 1875 ;

Also,

H. B. 48. To amend section 15 of an act to authorize probate judges in the counties of Jackson, and other counties therein named, to order elections in certain cases to prevent the sale or giving, or other disposition of vinous or spirituous liquors within certain limits in such counties, approved March 19, 1875 ;

By Mr. Price—

H. B. 49. To establish the southern chancery division, and to arrange the courts by districts in same ;

Also,

H. B. 50. To amend subdivision 3d of section 102 of an act to establish revenue laws for the State of Alabama ;

Also,

H. B. 51. To regulate the publication of notices of intention to apply for the passage of local or special laws ;

By Mr. Clements—

H. B. 52. To regulate the payment of fees of circuit and county solicitors ;

By Mr. Brown—

H. B. 53. To repeal an act to establish a new precinct and form a new beat in the county of Tuscaloosa ;

By Mr. Ross—

H. B. 54. To amend an act to amend section one of an act to provide for the funding of the domestic debt of this State, approved February 13, 1875 ;

Which bills were severally read once and ordered to a second reading on to-morrow.

By Mr. Purcell—

H. B. 55. Joint memorial to congress in relation to the public domain ;

Which was read and adopted.

Mr. Woolf offered the following resolution, which was adopted :

Resolved, That the speaker of this house be authorized to revise the standing committees in such manner as he may deem proper, and that 150 copies of the revised list be printed for the use of the house.

Mr. Price presented a memorial from 200 tax payers of Perry county, praying for special legislation, which was read and referred to the committee on local legislation ;

Also,

A memorial of the Knickerbocker Life Insurance Company of New York, praying for special legislation, which was read and referred to the committee on ways and means.

Mr. Price offered the following resolution, which was adopted :

Resolved, That the Secretary of State be and he is hereby requested to furnish for the use of the house, one hundred and fifty copies of the journal of the convention of 1875.

Mr. Brown offered the following resolution, which was adopted :

Resolved, That the speaker be authorized to add five other members to the special committee on the rules of the House.

CREDENTIALS.

Mr. McDuffie presented the credentials of Henry A. Carson, member elect from Lowndes county.

Mr. Grant moved that the credentials be referred to the committee on privileges and elections.

Mr. Woolf moved, as a substitute, that they be referred to a special committee of five.

Pending the consideration of which, on motion of Mr. Beirne, the House adjourned until to-morrow morning 10 o'clock.

SEVENTH DAY.

TUESDAY, January 4, 1876.

The house met pursuant to adjournment.

Prayer by Rev. J. L. Mills.

Upon the call of the roll the following members answered to their names:

Messrs. Speaker, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Gulledege, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Maples, Martin, Mitchell, Nelson, Price, Prowell, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Greene of Lee one day, and Jones of Russell five days.

The first business in order being the consideration of the substitute of Mr. Woolf, for the motion of Mr. Grant, pending at the hour of adjournment on yesterday, on motion of Mr. Barnett, its further consideration was postponed until Thursday next, 12 o'clock, meridian, and made the special order for that hour.

BILLS ON THEIR SECOND READING.

The bills—

H. B. 30. To enforce the collection of poll tax ;

H. B. 32. To define the rights and liabilities of married women ;

H. B. 35. To repeal section 3519 of the Revised Code of Alabama ;

H. B. 36. To enforce the collection of rent upon store houses, &c. ;

H. B. 37. To prohibit the tax collectors of Lauderdale county from receiving State obligations for county taxes ;

H. B. 38. To repeal an act approved October 10th, 1868, entitled an act for the protection of *bona fide* purchasers ;

H. B. 44. To limit the time in which prosecutions hereafter instituted under the bastardy laws of this State must be commenced ;

H. B. 45. To provide for the payment of costs in criminal cases in which prosecutions are abated by reason of the death of defendants ;

H. B. 46. To provide for the payment of costs in criminal cases in which indictments are withdrawn and filed ;

Were severally read the second time and referred to the committee on the judiciary.

The bills—

H. B. 23. To tax the property of railroad companies in this State ;

H. B. 29. To amend section 112 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875 ;

H. B. 40. To repeal so much of section 15 of the revenue law, approved March 19, 1875, as adds a penalty of three per cent. upon all taxes unpaid on the first day of February, and a monthly increase of two per cent. thereafter ;

H. B. 50. To amend sub-division 30 of section 102 of an act to establish revenue laws for the State of Alabama ;

Were severally read the second time and referred to the committee on ways and means.

The bill—

H. B. 31. To require fees paid clerks in certain cases ;

Was read the second time and referred to the committee on fees and salaries.

The bills—

H. B. 41. To enhance the value of State obligations ;

H. B. 54. To amend an act to amend section one of an act

to provide for the funding of the domestic debt of this State, approved February 13, 1875;

Were severally read the second time and referred to the committee on finance;

The bills—

H. B. 43. To fix and regulate the time of holding the circuit courts of the fifth judicial circuit of Alabama;

H. B. 49. To establish the southern chancery division, and to arrange the courts by districts in the same;

H. B. 51. To regulate the publication of notices of intention to apply for the passage of local or special laws;

H. B. 53. To repeal an act to establish a new precinct and form a new beat in the county of Tuscaloosa;

Were severally read the second time and referred to the committee on local legislation.

The bills—

H. B. 33. To repeal an act approved March 15th, 1875, to prevent the selling, giving away or otherwise disposing of spirituous, malt or vinous liquors, within five miles of Orville, Dallas county;

H. B. 42. To repeal an act to prevent the sale or otherwise disposing of spirituous, malt or vinous liquors, within three miles of Locust Grove Baptist Church, in Madison county;

H. B. 39. To repeal an act approved December 17th, 1874, to prohibit the selling or giving away of spirituous or vinous liquors within three miles of the Baptist Church at Rodgersville, in the county of Lauderdale;

H. B. 47. To repeal an act to prohibit the sale of spirituous, vinous or malt liquors, within two miles of the Grange Hall and Church at Oleander, Marshall county, Alabama, approved March 17, 1875;

H. B. 48. To amend section 15 of an act to authorize probate judges in the counties of Jackson and other counties therein named, to order elections, in certain cases, to prevent the sale or giving, or other disposition of vinous or spirituous liquors, within certain limits in such counties, approved March 19, 1875;

Were severally read the second time and referred to the committee on temperance.

The bill—

H. B. 52. To regulate the payment of fees of circuit and county solicitors;

Was read the second time.

Mr. Woolf moved to amend by inserting the words "clerks and sheriffs" after the word "courts," where it occurs in the second line;

The amendment was adopted and the bill referred to the committee on the judiciary.

The bill—

H. B. 34. To repeal an act approved March 18, 1875, to prevent the sale or otherwise disposing of spirituous, malt or vinous liquors, within three miles of McKenzie's church, in Monroe county, and within the beat known as Harrell's Cross Roads, in the county of Dallas;

Was read the second time.

On motion of Mr. Barnett, the caption was amended by adding the words, so far as the same relates to Harrell's Cross Roads, in the county of Dallas, and the bill was referred to the committee on temperance.

CALL OF THE COUNTIES.

Upon the call of the counties bills were introduced :

By Mr. Harris of Chambers—

H. B. 56. To authorize the Governor to issue State obligations of smaller denominations and retire equal amount of same of larger denominations.

By Mr. Barron—

H. B. 57. To amend section 654 of the Revised Code of Alabama.

Also—

H. B. 58. To authorize the publication of the laws of a general character passed at the present session.

By Mr. Gullledge—

H. B. 59. To repeal subdivision 12 of section 2 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Greene of Jefferson—

H. B. 60. To amend an act to protect owners of stock on the line of railroads in this State, approved April 23, 1873.

By Mr. Leslie—

H. B. 61. To change the county line between the counties of Russell and Lee.

By Mr. Harris of Perry—

H. B. 62. To repeal an act to consolidate the fine and forfeiture fund of Perry county with the general fund of said county.

By Mr. Brown—

H. B. 63. To make it lawful to waive the right of exemption.

By Mr. Baldwin—

H. B. 64. To prohibit any person or persons from interfering with any person or persons who may desire to dispose of any agricultural product between the hours of sunrise and sunset.

Which bills were severally read once and ordered to a second reading to-morrow.

MESSAGE FROM THE SENATE,

SENATE CHAMBER,

January 4, 1876.

Mr. Speaker:

The senate has elected William L. Clay, of Madison, as assistant secretary; Thomas H. Reynolds as engrossing and enrolling clerk, and Joseph Baumer, of Montgomery, as door-keeper.

It has also adopted the following joint resolution:

Be it resolved by the Senate, (the house concurring,) That the joint committee heretofore appointed under a joint resolution of the house, to whom were referred that portion of the Governor's message on the subject of sales of lands by A. & C. R. R., and of the lands purchased at tax sales, be so enlarged as to consist of three on the part of the senate and five on the part of the house, and that the additional members be appointed by the presiding officers of the two houses respectively.

Committee on the part of the senate, Mr. Inzer.

S. B. BREWER,
Secretary.

On motion of Mr. Price, the house proceeded to the consideration of the senate message just received, and concurred in the joint resolution. The following were added to the committee on the part of the house:

Messrs. Gibson and Billups.

On motion, the house took a recess until five minutes to 12 o'clock.

REASSEMBLING.

At five minutes to 12 o'clock, the house was called to order by the Speaker.

The clerk was instructed to invite the senate into the hall of the house, for the purpose of going into the election of cir-

cuit solicitors, as provided by the joint resolution of the two houses.

JOINT CONVENTION.

At the hour of 12 o'clock, M., the two houses assembled in the hall of the house, in joint convention, for the purpose of electing circuit solicitors for each judicial circuit of the State of Alabama, as provided by the joint resolution of the two houses.

FIRST CIRCUIT.

Mr. Davis, of the house, nominated Mr. J. N. Suttle, of Bibb county, for solicitor of the first judicial circuit.

Those who voted for Mr. Suttle are—

Messrs. Black, Carmichael, Cobb, Cooper, Cunningham, Dereen, Driesbach, Edwards, Grayson, Green, Hamilton, Harris of Lee, Harris of Russell, Inzer, Jones, Leftwich, Little, McClellan, Martin of Conecuh, Martin of Tuscaloosa, Moore, Parks, Robinson, Royal, Snodgrass, Terrell, Thornton and Walton, of the senate—28.

And Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Maples, Nelson, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf, of the house—64. Total 94.

Mr. Golson, of the senate, voted for Mr. Young L. Royston, of Perry, and Mr. Saffold, of the senate, voted for Mr. R. J. Boykin, of Dallas.

Mr. J. N. Suttle having received a majority of all the votes cast, was declared duly elected solicitor for the first judicial circuit of Alabama.

SECOND CIRCUIT.

Mr. Fielder nominated Mr. F. S. Ferguson, of Montgomery, which was seconded by Mr. Cashin.

Those who voted for Mr. Ferguson are—

Messrs. Carmichael, Cobb, Cooper, Cunningham, Dereen, Driesbach, Edwards, Farden, Golson, Grayson, Greene, Hamilton, Harris of Lee, Harris of Russell, Inzer, Jones, Leftwich, Little, McClellan, Martin of Conecuh, Martin of Tuscaloosa, Moore, Parks, Robinson, Royal, Snodgrass, Terrell, Thornton and Walton, of the senate—30.

And Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Jenkins, Higgins, Holloway, Huey, Jones of Russell, Jones of Pickens, Kimmey, Kirkland, Leslie, Maples, Mathews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf of the house—75. Total 105.

Mr. Curtis of the senate voted for Mr. Adam C. Felder of Montgomery.

Mr. Saffold of the senate voted for Mr. J. H. Judkins of Elmore.

Mr. F. S. Ferguson having received a majority of all the votes cast, was declared duly elected solicitor for the second judicial circuit of Alabama.

THIRD CIRCUIT.

Mr. Hamilton nominated Mr. Thomas B. Nesmith of Marion county.

Those who voted for Mr. Nesmith are—

Messrs. Black, Carmichael, Cobb, Cooper, Cunningham, Driesbach, Edwards, Farden, Grayson, Hamilton, Harris of Lee, Harris of Russell, Inzer, Leftwich, Little, McClellan, Martin of Conecuh, Martin of Tuscaloosa, Moore, Parks, Robinson, Snodgrass, Terrell, Thornton and Walton of the senate—25.

And Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jones

of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Nelson, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf of the house—63. Total 88.

Mr. Golson of the senate voted for Mr. John Smith.

Mr. Thomas B. Nesmith having received a majority of all the votes cast, was declared duly elected solicitor for the third judicial circuit of Alabama.

FOURTH CIRCUIT.

Mr. Smith of Franklin, nominated Henry C. Jones of Lauderdale county.

Those who voted for Mr. Jones are—

Messrs. Black, Carmichael, Cobb, Cooper, Cunningham, Driesbach, Edwards, Farden, Grayson, Green, Hamilton, Harris of Lee, Harris of Russell, Inzer, Leftwich, Little, Martin of Conecuh, Martin of Tuscaloosa, McClellan, Moore, Parks, Robinson, Saffold, Snodgrass, Terrell, Thornton and Walton of the senate—27.

And Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Gulledege, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jenkins, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Nelson, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon and Woolf of the house—65. Total 102.

Mr. Curtis of the senate voted for John Phelan of Lawrence county.

Mr. Henry C. Jones having received a majority of all the votes cast, was declared duly elected solicitor for the fourth judicial circuit of Alabama.

FIFTH CIRCUIT.

Mr. Beirne nominated Mr. Daniel Coleman of Madison county.

Those who voted for Mr. Coleman are—

Messrs. Black, Carmichael, Cobb, Cooper, Cunningham, Dereen, Driesbach, Edwards, Farden, Golson, Grayson,

Green, Hamilton, Harris of Lee, Harris of Russell, Jones, Inzer, Leftwich, Little, McClellan, Martin of Conecuh, Martin of Tuscaloosa, Moore, Parks, Robinson, Royal, Snodgrass, Terrell, Thornton and Walton of the senate—30.

And Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon and Woolf, of the house—66. Total, 96.

Mr. Saffold of the senate voted for W. W. Steele of Madison.

Mr. Daniel Coleman having received a majority of all the votes cast, was declared duly elected solicitor for the fifth judicial circuit of Alabama.

SIXTH CIRCUIT.

Mr. Forsyth nominated Mr. John B. Tompkins of Mobile.

Those who voted for Mr. Tompkins are—

Messrs. Carmichael, Cobb, Cooper, Cunningham, Dereen, Driesbach, Edwards, Farden, Grayson, Harris of Lee, Harris of Russell, Inzer, Leftwich, Little, McClellan, Martin of Conecuh, Martin of Tuscaloosa, Moore, Parks, Robinson, Royal, Snodgrass, Terrell, Thornton and Walton, of the senate—25.

And Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Rabby, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Woolf and Wynne, of the house—76. Total, 101.

Mr. Curtis of the senate and Mr. Blevins of the house voted for Mr. W. W. D. Turner of Mobile.

Mr. Lewis of the house voted for Mr. Geo. Turner.

Mr. John R. Tompkins having received a majority of all the votes cast, was declared duly elected solicitor for the fifth judicial circuit of Alabama.

SEVENTH CIRCUIT.

Mr. Billups nominated Mr. Richard H. Clarke of Marengo county, which was seconded by Mr. Reid.

Those who voted for Mr. Clarke are—

Messrs. Carmichael, Cobb, Cooper, Cunningham, Dereen, Driesbach, Edwards, Farden, Golson, Grayson, Green, Harris of Lee, Harris of Russell, Inzer, Jones, Leftwich, Little, McClellan, Martin of Conecuh, Martin of Tuscaloosa, Moore, Parks, Robinson, Saffold, Snodgrass, Terrell, Thornton and Walton, of the senate—28.

And Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Bierne, Bell, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Gulledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Rabby, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wither-
spoon and Woolf, of the house—71. Total 99.

Mr. Lewis of the house voted for Lewis M. Stone of Pickens.

Mr. Richard H. Clarke having received a majority of all the votes cast, was declared duly elected solicitor for the seventh judicial circuit of Alabama.

EIGHTH CIRCUIT.

Mr. Crews nominated Alto V. Lee of Barbour county.

Mr. Smith of Bullock, nominated Henry G. McCall of Bullock county.

Those who voted for Mr. Alto V. Lee are—

Messrs. Black, Carmichael, Cobb, Cooper, Cunningham, Driesbach, Edwards, Grayson, Harris of Lee, Inzer, Leftwich, Little, McClellan, Martin of Conecuh, Martin of Tuscaloosa,

Moore, Parks, Robinson, Snodgrass, Terrell, Thornton and Walton, of the senate—22.

And Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Nelson, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson and Woolf of the house—62. Total, 84.

Those who voted for Mr. McCall are—

Messrs. Curtis, Green, Jones and Royal, of the senate—4.

And Messrs. Allen, Baldwin, Blevins, Boyd, Cashin, Cook, Coon, Fagan, Gilmer of Montgomery, Mathews, and Smith of Bullock, of the house—11. Total 15.

Mr. Alto V. Lee having received a majority of all the votes cast, was declared duly elected solicitor for the eighth judicial circuit of Alabama.

NINTH CIRCUIT.

Mr. Robinson, of the senate, nominated James R. Dowdell of Lee county.

Those who voted for Mr. Dowdell are—

Messrs. Black, Carmichael, Cobb, Cooper, Cunningham, Driesbach, Edwards, Grayson, Green, Harris of Lee, Inzer, Leftwich, Little, McClellan, Martin of Conecuh, Martin of Tuscaloosa, Moore, Parks, Robinson, Royal, Snodgrass, Terrell, Thornton and Walton, of the senate—24.

And Messrs. Speaker, Allen, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Bliss, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf, of the house—67. Total, 91.

Mr. James R. Dowdell having received a majority of all

the votes cast, was declared duly elected solicitor of the ninth judicial circuit of Alabama.

TENTH CIRCUIT.

Mr. Harris of Lee, of the senate, nominated William Ivey of Randolph county.

Those who voted for Mr. Ivey are —

Messrs. Carmichael, Cobb, Cooper, Driesbach, Edwards, Grayson, Harris of Lee, Inzer, Leftwich, Little, McClellan, Martin of Conecuh, Martin of Tuscaloosa, Moore, Parks, Robinson, Royal, Snodgrass, Terrell, Thornton and Walton of the senate—21.

And Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Greene of Jefferson, Gullette, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Nelson, Price, Prowell, Purcell, Rabby, Rice, Ross, Rosseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Taladega and Woolf, of the house—63. Total 84.

Mr. Ivey having received a majority of all the votes cast, was declared duly elected solicitor for the tenth judicial circuit of Alabama.

ELEVENTH CIRCUIT.

Mr. Martin of Conecuh, of the senate, nominated Nicholas Stallworth of Conecuh county, which was seconded by Mr. Baldwin.

Those who voted for Mr. Stallworth, are—

Messrs. Black, Carmichael, Cooper, Cunningham, Driesbach, Edwards, Farden, Grayson, Green, Harris of Lee, Harris of Russell, Inzer, Leftwich, Little, McClellan, Martin of Conecuh, Martin of Tuscaloosa, Moore, Parks, Robinson, Royal, Snodgrass, Terrell, Thornton and Walton, of the senate—25.

And Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Gullette, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Hol-

loway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf, of the house—70. Total 95.

Mr. Stallworth having received a majority of all the votes cast, was declared duly elected solicitor for the eleventh judicial circuit of Alabama.

TWELFTH CIRCUIT.

Mr. Inzer of the senate nominated Mr. J. W. Vandiver of St. Clair county.

Those who voted for Mr. Vandiver are—

Messrs. Carmichael, Cooper, Cunningham, Driesbách, Edwards, Farden, Grayson, Green, Harris of Lee, Harris of Russell, Inzer, Leftwich, Little, McClellan, Martin of Conecuh, Martin of Tuscaloosa, Moore, Parks, Robinson, Snodgrass, Terrell, Thornton and Walton, of the senate—23.

And Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Gulledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimméy, Kirkland, Leslie, Maples, Nelson, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf, of the house—64. Total 87.

Mr. Vandiver having received a majority of all the votes cast, was declared duly elected solicitor for the twelfth judicial circuit of Alabama.

On motion the joint convention then adjourned, and the senators retired to their chamber.

On motion of Mr. Chambers a committee of three was appointed to direct the door-keeper as to the kind of door to be placed before the main entrance to the hall.

Committee—Messrs. Chambers, Woolf and Betts.

On motion of Mr. Stribling, the house adjourned until tomorrow morning, 11 o'clock.

EIGHTH DAY.

WEDNESDAY, January 5, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll, the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bennett, Betts, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Kimmey, Kirkland, Lee, Leslie, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Purcell, Rabby, Reese, Reid, Rice, Ross, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo and Wood of Talladega—81.

The journal of yesterday was read and approved.

CREDENTIALS.

On motion of Mr. Baldwin, E. W. Locke, member elect from the county of Wilcox, came forward, presented his certificate of election duly signed by the secretary of State, and after being duly qualified according to law, took his seat as a member of this house.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Billups two days and Mr. Prowell five days.

REPORT FROM SPECIAL COMMITTEE.

Mr. St. John, from the special committee to enquire as to the number of pages that should be employed and their compensation, reported that the committee recommended that

there should be no change in the number now employed, viz: four, and that they should be paid the same as heretofore, viz: three dollars a day.

The report was received and adopted and the committee discharged.

By leave, Mr. Brown offered the following joint resolution:

Resolved by the House, (the Senate concurring), That a joint committee be raised, to consist of seven members from the house and five from the senate, to take into consideration and report thereon, and soon as practicable, the subject of the relation of this session to the new constitution as regards the length of the session.

The resolution was referred to the joint committee on the new constitution.

BILLS ON SECOND READING.

The bills—

H. B. 57. To amend section 654 of the Revised Code.

H. B. 60. To amend an act to protect owners of stock on the line of railroads in this State, approved April 23, 1873.

H. B. 62. To repeal an act to consolidate the fine and forfeiture fund of Perry county with the general fund of said county.

H. B. 63. To make it lawful to waive the right of exemption.

H. B. 64. To prohibit any person or persons from interfering with any person or persons who may desire to dispose of any agricultural product between the hours of sunrise and sunset;

Were severally read the second time and referred to the committee on the judiciary.

The bill—

H. B. 59. To repeal subdivision 12 of section 102 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

Was read the second time and referred to the committee on ways and means.

The bill—

H. B. 56. To authorize the Governor to issue State obligations of smaller denominations and retire equal amount of same of larger denominations;

Was read the second time and referred to the committee on finance.

The bill—

H. B. 58. To authorize the publication of the laws of a general character passed at the present session ;

Was read the second time and referred to the committee on public printing.

The bill—

H. B. 61. To change the county line between the counties of Russell and Lee ;

Was read the second time and referred to the committee on counties and county boundaries.

On motion of Mr. Betts, Mr. Grant was allowed to occupy the seat of Mr. Cockrell until his arrival.

CALL OF THE COUNTIES.

Upon the call of the counties, bills were introduced :

By Mr. Andrews—

H. B. 65. To repeal an act to increase the pay of jurors in Barbour county.

By Mr. Bell—

H. B. 66. To prohibit the carrying of fire arms to public assemblies.

By Mr. Stallworth—

H. B. 67. To repeal subdivision 12, of section 2, of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Purcell—

H. B. 68. To amend an act to prohibit attorneys, in certain cases, from practicing the profession in probate and chancery courts.

By Mr. Higgins—

H. B. 69. To increase the fees of constables.

Also,

H. B. 70. To incorporate Doran's high school, in Jackson county ;

Also,

H. B. 71. To repeal an act in relation to appeals from justices' courts.

By Mr. Townsend—

H. B. 72. To amend 2076 of the Revised Code in relation to renting land by executors, administrators and guardians.

By Mr. Hamilton—

H. B. 73. To repeal section 5 of an act in relation to trials for misdemeanors in Tuscaloosa and other counties therein

named, approved March 19, 1875, so far as the same relates to Marion county.

By Mr. St. John—

H. B. 74. To repeal an act to prevent camp hunting, firing the woods, or driving for deer in beats Nos. 5 and 16 in Marshall county, approved March 6, 1875.

By Mr. Gilmer of Montgomery—

H. B. 75. To repeal an act to prohibit the disposing of agricultural products between the hours of sunset and sunrise.

By Mr. Clements—

H. B. 76. To reduce the amount of the shares of the Alabama coal and navigation company, and to extend the time for the completion of its works, in consideration that its property be taxed.

By Mr. Wharton—

H. B. 77. To repeal an act to prohibit the sale, gift or barter of intoxicating liquors within two miles of the academy in Jasper, Walker county.

By Mr. Barron—

H. B. 78. To authorize the commissioners court of Clay county to levy a special tax for purposes therein named.

By Mr. Herman—

H. B. 79. In relation to the trial of misdemeanors in the State of Alabama.

By Mr. Nelson—

H. B. 80. To repeal an act to prohibit the sale or disposition of intoxicating liquors, within five miles of Perdido union church, near the line between the counties of Baldwin and Escambia, approved March 17, 1875.

By Mr. Wilson—

H. B. 81. To repeal an act to incorporate the town of Columbiana, in the county of Shelby, approved March 25, 1873.

By Mr. Price—

H. B. 82. To fix the time of the meeting of the general assembly of Alabama.

By Mr. Tate—

H. B. 83. To create revenue for the State of Alabama;

Which bills were severally read once and ordered to a second reading on to-morrow.

MEMORIAL.

Mr. Beirne presented a memorial from certain citizens of Madison county, asking for legislation prohibiting the raising of revenue from licenses, except for retailing liquor;

Which was read and referred to the committee on ways and means.

Mr. Clements offered the following joint resolution, which was adopted:

Resolved by the house, (the senate concurring), That so much of his excellency the Governor's message as refers to immigration, be referred to a joint committee to consist of three members on the part of the house and two on the part of the senate, to report by bill or otherwise.

Mr. Herman offered the following resolution:

Resolved, That a committee of five be appointed to ascertain whether any member on this floor is claiming to represent a county of which he is not a citizen.

Mr. Blevins moved to lay the resolution on the table. Lost; and the resolution was adopted.

Committee—Messrs. Herman, Green of Jefferson, Dickson, Lewis and Mathews.

At the request of Mr. Beirne, he was excused from serving on the committee on the constitution, and Mr. Betts substituted in his place.

On motion of Mr. Smith of Bullock, the house adjourned until to-morrow morning, 11 o'clock.

THURSDAY, January 6, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Town-

send, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—86.

The journal of yesterday was read and approved.

MESSAGE FROM THE GOVERNOR,

By Mr. Davis, his private secretary :

EXECUTIVE DEPARTMENT,
Montgomery, January 6, 1876.

Gentlemen of the General Assembly :

I have the honor to lay before you the report of the State Geologist for the year 1875.

Respectfully,

GEO. S. HOUSTON,
Governor.

The house proceeded to the consideration of the Governor's message just received, and on motion of Mr. Betts, it was ordered that the message lie on the table, to be called up at any time.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Jones of Pickens for five days, on account of sickness in his family.

Leave of absence, from the first day of the session up to and including the tenth day, was granted Mr. Cockrell, he having been detained by high water, &c.

Messrs. Edwards, Purcell, Espy and Andrews were excused for non-attendance on first day of the session, they having been unavoidably detained by the railroad train running off the track.

By leave, Mr. Barnett offered the following joint resolution, which was adopted :

Resolved by the house (the senate concurring), That a joint committee of the two houses be raised, consisting of three on the part of the house and two on the part of the senate, whose special duty it shall be to take into consideration the revenue laws of this State, and to amend and revise the same, and to report by bill or otherwise for the action of this house at the earliest day practicable.

RECONSIDERATION.

On motion of Mr. Woolf, the vote by which the resolution was adopted was reconsidered, and the resolution was amended by making the committee on the part of the house to consist of "five," instead of "three," and as thus amended the resolution was adopted.

Committee on the part of the house, Messrs. Barnett, Brewer, Greene of Lee, Betts and Woolf.

BILLS ON SECOND READING.

The bills—

H. B. 68. To amend an act to prohibit attorneys in certain cases from practicing their profession in the probate and chancery courts.

H. B. 71. To repeal an act in relation to appeals from justices' courts.

H. B. 72. To amend section 2076 of the Revised Code, in relation to renting land by executors, administrators and guardians.

H. B. 75. To repeal an act prohibiting the disposal of agricultural products between the hours of sunset and sunrise.

H. B. 79. In relation to the trials of misdemeanors in the State of Alabama;

Were severally read the second time and referred to the committee on the judiciary.

The bill—

H. B. 67. To repeal sub-division twelve of section two of an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

Was read the second time and referred to the committee on ways and means.

The bills—

H. B. 74. To repeal an act to prevent camp hunting, firing the woods, or driving for deer in beats Nos. five and sixteen in Marshall county, approved March 6, 1875;

H. B. 78. To authorize the commissioners' court of Clay county to levy a special tax for purposes therein named;

Were severally read the second time and referred to the committee on local legislation.

The bill—

H. B. 69. To increase the fees of constables;

Was read the second time and referred to the committee on fees and salaries.

The bills—

H. B. 70. To incorporate Doran's Cove High School, in Jackson county;

H. B. 76. To reduce the amount of the shares of the Alabama Coal and Navigation Company, and to extend the time for the completion of its works in consideration that its property be taxed;

H. B. 81. To repeal an act to incorporate the town of Columbiana, in the county of Shelby, approved March 25, 1873;

Were severally read the second time and referred to the committee on corporations.

The bills—

H. B. 77. To repeal an act to prohibit the sale, gift or barter of intoxicating liquors, within two miles of the Academy in the town of Jasper, Walker county, Alabama;

H. B. 80. To repeal the act to prohibit the sale or disposition of intoxicating liquors within five miles of Perdido Union Church, near the line, between the counties of Baldwin and Escambia, approved March 17, 1875;

Were severally read the second time and referred to the committee on temperance.

The bill—

H. B. 65. To repeal an act to increase the pay of jurors in Barbour county;

Was read the second time and referred to the committee on fees and salaries.

The bill—

H. B. 66. To prohibit the carrying of fire arms to public assemblies;

Was read the second time.

Mr. Mathews moved to lay the bill on the table;

Lost.

And the bill was referred to the committee on the judiciary.

The bill—

H. B. 73. To repeal section five of an act in relation to trials for misdemeanors in Tuscaloosa and other counties therein named, approved March 19, 1875, so far as the same relates to Marion county;

Was read the second time.

Mr. Tate moved to amend by including the county of Butler;

The amendment was adopted, and the bill referred to the committee on the judiciary.

The bill—

H. B. 83. To create revenue for the State of Alabama;
Was read the second time.

Amendments were severally offered as follows:

By Mr. Kimmey—

"That there shall be one dog exempted from taxation for the use of every family, and a tax of fifty cents each on all over that number."

By Mr. Leslie—

"A substitute entitled an act to assess and collect a license tax on dogs."

By Mr. Harris of Perry—

"Amended so that there shall be one dog exempt from taxation for the use of every family, and that on all others there shall be levied a tax of one dollar on every male, and three dollars on every female of the canine species."

Mr. Blevins moved to lay the bill, with the amendments, on the table;

Lost.

On motion of Mr. Price, the bill, with all the amendments offered, were referred to the committee on agriculture and commerce.

The bill—

H. B. 82. To fix the time of the meeting of the general assembly of Alabama;

Was read the second time.

Mr. Rice moved to amend by striking out all after the enacting clause, and inserting the following:

"That the time of meeting of the next general assembly of Alabama, shall be on the second Tuesday of November, 1876, and on that day every two years thereafter."

Mr. Woolf moved to amend by way of substitute, entitled

"An act to provide for biennial sessions of the general assembly."

Mr. Edwards, also, by leave, offered a substitute.

The bill, with the amendments, and the substitutes offered by Messrs. Woolf and Edwards, were referred to the joint committee on the constitution.

SPECIAL ORDER.

The hour of 12 o'clock having arrived, the house proceeded to the consideration of the special order for this hour, viz: The motion of Mr. Woolf to refer the credentials of Mr. H. A. Carson, member elect from Lowndes county, to a special committee of five.

On motion of Mr. Mathews, the motion to refer the credentials to the committee on privileges and elections, and the substitute of Mr. Woolf, that they be referred to a special committee, was laid on the table.

Mr. H. A. Carson then came forward, presented his certificate of election duly signed by the secretary of State, and, after being duly qualified according to law, took his seat as a member of the house.

Mr. Smith, of Bullock, moved that a special committee of five be raised to investigate certain charges made against Mr. Carson.

Mr. Betts moved to lay the motion on the table.

Lost. Yeas 17, nays 69.

Those who voted yea are—

Messrs. Andrews, Barron, Betts, Brown, Harris of Chambers, Kimmey, Leslie, Lewis, Maples, Rice, Stevens, Tate, Townsend, Witherspoon, Wood of Marengo, Wood of Talladega and Woolf—17.

Those who voted nay are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Bennett, Bell, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Carson, Cashin, Chambers, Cockrell, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kirkland, Lee, Locke, Martin, McDuffie, Mitchell, Nelson, Price, Purcell, Rabby, Reese, Reid, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, St. John, Straughn, Stribling, Troup, Wharton, Wilson and Wynne—69.

Mr. Price moved to amend the motion by referring the question to the committee on privileges and elections, with instructions to investigate and report if any further action is necessary by the house. The amendment was accepted by Mr. Smith of Bullock.

On motion of Mr. St. John, the subject under consideration was indefinitely postponed.

CALL OF THE COUNTIES.

Upon the call of the counties, bills were introduced :

By Mr. Crews—

H. B. 84. To amend section 73 of the act to establish revenue laws for the State of Alabama, approved March 9, 1875.

By Mr. Davis—

H. B. 85. To repeal an act to incorporate the town of Centerville in the county of Bibb, approved January 21, 1832.

By Mr. Harris, of Chambers—

H. B. 86. To amend subdivision one of section 103 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Stevens—

H. B. 87. In relation to trials of misdemeaners and certain felonies herein named, in the county of Chambers.

By Mr. Woolf—

H. B. 88. To repeal subdivision 19 of section 102 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Kimmey—

H. B. 89. To confer upon the commissioners court of each county of the State power to declare all streams in their respective counties public highways for the purpose of floating or rafting timber, lumber, &c., upon these waters, and to regulate the construction of bridges, dams, or other obstructions on the same, necessary to secure the free navigation thereof.

By Mr. Kimmey—

H. B. 90. To incorporate Clintonville academy, in Coffee county.

By Mr. Edwards—

H. B. 91. To incorporate the Right Worthy Grand Lodge and the Grand and Subordinate Lodges of Alabama Independent Order of Good Templars.

By Mr. Fielder—

H. B. 92. To amend an act to make it lawful for the sheriff of Monroe and other counties therein named, to execute all processes issued by justices of the peace and notaries public, and receive the usual fees for the same, so far as relates to the county of Elmore.

By Mr. Woolf—

H. B. 93. To provide for the renting of lands belonging to the estates of minors and deceased persons, and for the securing of such rent.

By Mr. Hamilton—

H. B. 94. To authorize the Governor to issue a patent to the north half of section 16, township 12, range 14, east, to Wiley S. Metcalf, of Sanford county.

By Mr. St. John—

H. B. 95. To amend section 20 of the act to incorporate the town of Guntersville, in county of Marshall, approved December 12, 1871.

By Mr. Brewer—

H. B. 96. To provide for the more efficient collection of the poll tax.

By Mr. Mitchell—

H. B. 97. To amend section one of an act to amend section one of an act to provide for the funding of the domestic debt of this State, approved December 19, 1873, approved February 13, 1875.

By Mr. Heaton—

H. B. 98. To repeal an act prohibiting the sale or otherwise disposing of spirituous, vinous or malt liquors within one and a half miles of the academy in the town of Wedowee, in Randolph county.

By Mr. Chambers, with petition—

H. B. 99. To refund money paid for licenses by merchants and dealers other than commission merchants and brokers, under paragraph 20 of section 102 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Chambers, (with petition and notice of publication as prescribed by the constitution)—

H. B. 100. To abolish the court of county commissioners of Dallas county as now organized, and to establish in said county another court of county commissioners.

By Mr. Clements—

H. B. 101. To provide for the cancellation and retiring annually two hundred thousand dollars of the State obligations issued under and in pursuance of an act to provide for the funding of the domestic debt of the State, approved December 19, 1873.

By Mr. Holloway—

H. B. 102. To repeal sections one to sixteen, inclusive, of an act to regulate exempted property from sale for the payment of debts, approved April 23, 1873.

By Mr. Wharton—

H. B. 103. To repeal an act to define and fix the ex officio fees of the sheriff and circuit clerk of the county of Walker;

Which bills were severally read once and ordered to a second reading on to-morrow.

On motion of Mr. Stribling, the house adjourned until 10 o'clock to-morrow morning.

NINTH DAY.

FRIDAY, January 7, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names :

Mesrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Bennett, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherpoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—87.

The journal of yesterday was read and approved.

BILLS ON SECOND READING.

The bills—

H. B. 84. To amend section 73 of the act to establish revenue laws for the State of Alabama, approved March 19, 1875,

H. B. 88. To repeal subdivision 17 of section 102 of the act to establish revenue laws for the State of Alabama, approved March 19, 1875.

H. B. 86. To amend subdivision one of section 103 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

H. B. 96. To provide for the more efficient collection of the poll tax ;

Were severally read the second time and referred to the special joint committee on revenue.

CORPORATIONS.

The bills—

H. B. 85. To repeal an act to incorporate the town of Centreville, in the county of Bibb, approved 21st January, 1832.

H. B. 90. To incorporate Clintonville academy, in Coffee county.

H. B. 95. To amend section 20 of an act to incorporate the town of Guntersville, in the county of Marshall, approved December 12, 1871 ;

Were severally read the second time, and referred to the committee on corporations.

LOCAL LEGISLATION.

The bills—

H. B. 87. In relation to trials for misdemeanors and certain felonies herein named in the county of Chambers.

H. B. 89. To confer upon the commissioners' court of each county of the State power to declare all streams in their respective counties public highways, for the purpose of floating or rafting lumber, etc., upon these waters, and to regulate the construction of bridges, fences, dams, or other obstructions upon the same necessary to secure the free navigation thereof.

H. B. 92. To amend an act entitled an act to make it lawful for the sheriffs of Marion, and other counties therein named, to execute all processes issued by justices of the peace and notaries public, and receive the usual fees for the same so far as relates to the county of Elmore.

H. B. 94. To authorize the Governor to issue a patent for the north half of section 16, township 12, range 14, east, to Wiley S. Metcalf of Sanford county ;

Were severally read the second time and referred to the committee on local legislation.

TEMPERANCE.

The bills—

H. B. 91. To incorporate the Right Worthy Grand Lodge, and the Grand and subordinate lodges of Alabama Independent Order of Good Templars.

H. B. 98. To repeal the act prohibiting the sale or otherwise disposing of spirituous, vinous, or malt liquors, within

one and a half miles of the academy, in the town of Wedowee, in Randolph county;

Were severally read the second time and referred to the committee on temperance.

JUDICIARY.

The bills—

H. B. 93. To provide for the renting of lands belonging to the estates of minors, and deceased persons, and for the securing of such rent.

H. B. 100. To abolish the court of county commissioners of Dallas county, as now organized, and to establish in said county another court of county commissioners.

H. B. 102. To repeal sections 1 to 16, inclusive of an act to regulate exempted property from sale for the payment of debts, approved April 23, 1873;

Were severally read the second time and referred to the committee on the judiciary.

FINANCE.

The bills—

H. B. 97. To amend section one of the act to amend section one of the act to provide for the funding of the domestic debt of the State, approved December 19, 1873, approved February 13, 1875.

H. B. 101. To provide for the cancellation and retiring annually two hundred thousand dollars of the State obligations, issued under and in pursuance of an act to provide for the funding of the domestic debt of the State, approved December 19, 1873;

Were severally read the second time and referred to the committee on finance.

WAYS AND MEANS.

The bill—

H. B. 99. To refund money paid for licenses by merchants and dealers other than commission merchants and brokers, under paragraph 20 of section 102 of an act entitled an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

Was read the second time and referred to the committee on ways and means.

FEES AND SALARIES.

The bill—

H. B. 103. To repeal an act to define and fix the *ex officio* fees of the sheriff and circuit clerk of the county of Walker;

Was read the second time and referred to the committee on fees and salaries.

RECONSIDERATION.

Mr. St. John moved to reconsider the vote by which the motion in regard to the investigation of certain charges made against Mr. H. A. Carson, sitting member from Lowndes, was indefinitely postponed.

Mr. Cashin moved to lay the motion to reconsider on the table. Lost, and the motion to reconsider carried.

Mr. Lewis moved to amend the motion of Mr. Smith of Bullock, by substituting the following: That all the charges made or referred to in the house against the member from Lowndes, be referred to the committee on privileges and elections, with power to inquire into and report on the same;

The amendment was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 7th, 1876.

Mr. Speaker:

The senate has originated and passed the following bills:

S. B. 78. For the appointment of a judge or judges of the supreme court *pro tempore* in certain cases.

S. B. 25. To authorize letters testamentary to be issued to persons who are non-residents of this State.

The senate has amended house joint resolution raising joint committee of five from the house and two from the senate, to consider, revise and amend the revenue laws and report the same by bill or otherwise, at the earliest practicable day. The amendment increases the committee on the part of the senate to three instead of two.

As amended, the joint resolution is concurred in.

Committee on the part of the senate, Messrs. Hamilton, Carmichael and Walton.

S. B. BREWER,
Secretary.

On motion of Mr. Greene of Lee, the house concurred in the amendment of the senate to the house joint resolution.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced :

By Mr. Bell—

H. B. 104. To repeal an act entitled “an act for the encouragement of mining, manufacturing, industrial, mechanical and commercial pursuits within the State of Alabama, approved April 23, 1873.

By Mr. Baker—

H. B. 105. To fix the time of holding the circuit court of the county of Clarke, and to regulate the practice therein in certain cases.

By Mr. Stallworth—

H. B. 106. To amend section 50 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Edwards, with petition—

To incorporate Haw Ridge academy in coffee county.

By Mr. Kirkland—

H. B. 108. To amend section 2140 of the Revised Code ;

By Mr. Purcell—

H. B. 109. To fix the per diem and mileage of the jurors in the several counties of this State ;

Also,

H. B. 110. To fix the per diem and mileage of the commissioners of the several counties of this State ;

By Mr. Tate—

H. B. 111. To authorize county commissioners to refund money to tax collectors in certain cases ;

By Mr. Greene of Jefferson—

H. B. 112. To authorize the construction of geological sections in miniature of the Warrior and Cahaba coal measures, in the State, illustrative of their contained coal, black band iron ore, fire clay, and other minerals, for exhibition at the centennial at Philadelphia ;

By Mr. Herman—

H. B. 113. To repeal an act prohibiting the sale or giving away of spirituous, vinous or malt liquors within three miles of Bethesda and Beulah Baptist churches, in Montgomery county, approved March 8, 1875 ;

By Mr. Greene of Lee—

H. B. 114. To amend section 3902 of the Revised Code ;
By Mr. McDuffie—

H. B. 115. To repeal an act to prohibit the sale or otherwise disposing of spirituous liquors within four miles of Letohatchie and Steep Creek churches, in Lowndes county, and Tabernacle church, in Montgomery county, approved December 18, 1873 ;

By Mr. Chambers—

H. B. 116. To amend section 3570 of the Revised Code ;
Also,

H. B. 117. To require circuit judges more promptly to dispose of all business in the circuit courts ;

Also,

H. B. 118. To prohibit solicitors from receiving fees in which a *nolle prosequi* is entered on their motion ;

Also,

H. B. 119. To permit juries to take written charges on their retirement ;

Also,

H. B. 120. To amend section 3576 of the Revised Code ;

Also,

H. B. 121. To amend section 2756 of the Revised Code ;

Also,

H. B. 122. To fix the time of holding the courts of the ninth judicial circuit ;

By Mr. Wilson—

H. B. 123. To repeal an act to prohibit the sale of vinous, spirituous or intoxicating liquors within five miles of certain churches in Cherokee county, and within five miles of Wilsonville and Harpersville, in Shelby county, approved March 20, 1875, so far as the same relates to Wilsonville and Harpersville, Shelby county ;

By Mr. Brown—

H. B. 124. To provide for the revision and digesting of the public statutes of this State ;

By Mr. Greene of Lee—

H. B. 125. To authorize the warden of the penitentiary to sue in the courts of Elmore county, for the collection of all claims due him as warden ;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Price offered the following resolution, which was adopted :

Resolved, That the committee on ways and means be and they are hereby instructed to inquire whether or not section 50

of the revenue law, so far as the same relates to the sale of the list of insolvents, and particularly the insolvent list of poll taxes, needs amendment.

REPORTS FROM COMMITTEES.

Mr. Beirne, from the committee on the judiciary, reported favorably to the bill—

H. B. 5. To amend section 3279 of the Revised Code.

Mr. Wood of Talladega moved to amend by adding the following: "Provided, the value of the property be less than the amount of the debt."

On motion of Mr. Grant, the amendment was laid on the table, and the bill was read the third time and passed—yeas 74, nays 2.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bierne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cook, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Maples, Martin, Mathews, Nelson, Price, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wither-
spoon, Wood of Marengo, Woolf and Wynne—74.

Those who voted nay are—

Messrs. Mitchell and Wood of Talladega—2.

Also, favorably to the bill—

H. B. 13. In relation to the holding of chancery courts in the county of Blount;

Which was read the third time and passed—yeas 76, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cook, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stall-

worth, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—76.

Mr. Witherspoon voted nay.

Also, favorably to the bill—

H. B. 44. To limit the time in which prosecutions hereafter instituted under the bastardy laws of this State must be commenced ;

Which was read the third time, and, on motion of Mr. Price, its further consideration was postponed, and made the special order for Monday next, 1 p. m.

Also, favorably to the bill—

H. B. 45. To provide for the payment of costs in criminal cases in which prosecutions are abated by reason of the death of defendants.

Mr. Betts moved to amend by striking out the words, "and fees of the officers of court."

On motion of Mr. Stribling, the amendment was laid on the table, and the bill was read the third time and passed—yeas 59, nays 23.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barron, Beirne, Bell, Bliss, Bonner, Brewer, Baker, Brantley, Brown, Chambers, Cook, Coon, Davis, Dickson, Dillon, Edwards, Espy, Fielder, Gibson, Gilmer of Montgomery, Grant, Greene of Lee, Gullett, Harris of Chambers, Harris of Perry, Herman, Huey, Higgins, Jenkins, Kimmey, Lee, Leslie, Lewis, Locke, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Purcell, Rabby, Reese, Shepard, Sims, Smith of Bullock, Stevens, Stribling, Straughn, Tate, Townsend, Wilson, Wood of Marengo, Wood of Talladega and Woolf—59.

Those who voted nay are—

Messrs. Aldridge, Betts, Billups, Blevins, Boyd, Cashin, Cockrell, Farriss, Franklin, Greene of Jefferson, Hamilton, Heaton, Holloway, Kirkland, Maples, Reid, Ross, Smith of Franklin, St. John, Troup, Wharton, Witherspoon and Wynne—23.

Mr. Barnett, from committee on ways and means, made the following report :

Mr. Speaker :

The committee on ways and means, to which was referred a memorial of the Knickerbocker Life Insurance Company, praying for relief for said company on account of excessive assessment given in by its agent in this State, and paid in the

year 1874, have had the same under consideration, and instruct me to report adversely thereto.

S. A. BARNETT,
Chairman.

The report was received and concurred in.

CORPORATIONS.

Mr. Stallworth, from the committee on corporations, reported favorably to the bill—

H. B. 81. To repeal an act to incorporate the town of Columbiana, in the county of Shelby, approved March 25, 1873; Which was read the third time and passed—yeas 77, nays 1. Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Chambers, Clements, Coon, Davis, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Kimmey, Kirkland, Lee, Leslie, Lewis, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Purcell, Rabby, Reid, Rice, Ross, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—77.

Mr. Cockrell voted nay.

PUBLIC PRINTING.

Mr. Grant, from the committee on public printing, reported favorably to the bill—

H. B. 58. To authorize the publication of the laws of a general character, passed at the present session;

Which was read the third time, and on motion of Mr. Billups, its further consideration was postponed and made the special order for the hour of 12 m., Tuesday next.

TEMPERANCE.

Mr. Maples, from the committee on temperance, reported favorably to the bill—

H. B. 18. To repeal an act to prohibit the selling, giving

away or otherwise disposing of spirituous, vinous or intoxicating liquors within three miles of Harmony Church, Limestone county, Alabama, approved January 29, 1875.

On motion of Mr. Coon, the bill was referred to the judiciary committee, with instructions to enquire whether it is necessary to give notice as required by the constitution of intention to apply to the legislature for the repeal of the act.

Mr. Chambers offered the following resolution, which was adopted :

Resolved, That the Secretary of State be and he is hereby authorized and required to furnish such additional copies of the Revised Code, the acts of the last session of the general assembly, and the journal of the constitutional convention, as may be required for the use of the standing committees of the house.

SENATE BILLS.

The house next proceeded to the consideration of senate bills.

The senate bills—

s. B. 78. For the appointment of a judge or judges of the supreme court *pro tempore* in certain cases.

s. B. 25. To authorize letters testamentary to be issued to persons who are non-residents of this State ;

Were severally read once and ordered to a second reading on to-morrow.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Allen five days, Mr. Bennett five days on account of sickness in his family, and Mr. Crews four days on account of urgent business.

On motion of Mr. Allen, the house adjourned until to-morrow morning, 11 o'clock.

TENTH DAY.

SATURDAY, January 8, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll, the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Baker, Brewer, Brantley, Brown, Chambers, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Purcell, Rabby, Reese, Reid, Ross, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—83.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Clements for to-day, Mr. Wood of Marengo, for five days, and Mr. Cashin until Tuesday.

REPORT FROM COMMITTEE.

Mr. Beirne, by leave, made the following report :

Mr. Speaker :

The committee on the judiciary, to which was referred the question whether section 24 of article IV of the constitution applies to the repeal of local or special laws, have had the same under consideration and instruct me to report that in the opinion of the committee the requirements of said sec-

tion apply with equal force to the repeal or passage of local or special laws, and also to bills amending such local laws.

GEO. P. BEIRNE,
Chairman.

MINORITY REPORT.

Mr. Woolf submitted the following minority report :

The undersigned, one of the committee of the judiciary, begs leave to dissent from the report of the majority of said committee in their construction of section 24 of article IV of the constitution of this State; that he is of the opinion that under that section that no notice is required in order to repeal a special or local law.

H. A. WOOLF.

Mr. Woolf moved to substitute the minority for the majority report. Lost—yeas 22, nays 59.

Those who voted yea are—

Messrs. Betts, Billups, Blevins, Brewer, Brantley, Brown, Davis, Forsyth, Gilmer of Montgomery, Grant, Herman, Holloway, Kirkland, Maples, Martin, Mathews, Nelson, Rabby, Rice, Shepard, Stevens, and Woolf—22.

Those who voted nay are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bliss, Bonner, Boyd, Baker, Chambers, Cook, Coon, Cockrell, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Huey, Jenkins, Kimmey, Lee, Leslie, Lewis, Mitchell, Price, Purcell, Reese, Reid, Ross, Sims, Smith of Franklin, Stallworth, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Wynne—59.

And the majority report was adopted.

NOTICE OF RECONSIDERATION.

Mr. Coon gave notice within the time prescribed by the rules, that he would move to reconsider the vote passing the bill—

H. B. 5. To amend section 3279 of the Revised Code.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 8, 1876.

Mr. Speaker :

The senate has originated and passed the following bills :

S. B. 15. To amend section 761 of the Revised Code.

S. B. 10. To amend section 68 of the Revised Code.

S. B. 11. To amend section 718 of the Revised Code.

S. B. 14. To amend section 669 of the Revised Code.

S. B. 12. To amend section 76 of the Revised Code.

S. B. 13. To amend section 104 of the Revised Code.

S. B. 31. To prescribe the counties in which suits may be instituted upon the official bonds of State officers, or of any person or persons who have been State officers.

S. B. 34. To amend section 3902 of the Revised Code.

And has adopted the house joint resolution,

H. B. 1. Suspending the operation of section fourteen (14) of an act entitled an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

S. B. BREWER,
Secretary.

MOTION.

Mr. Tate moved that all local bills that have been introduced in the house at the present session, where no notice has been given as required by section 24 of article 4 of the constitution, may be withdrawn, and that when a committee finds that such bills have been referred to it, the committee shall return the same to the house so that they may be withdrawn.

The motion carried.

BILLS ON SECOND READING.

The bills—

H. B. 104. To repeal an act for the encouragement of mining, manufacturing, industrial, mechanical and commercial pursuits within the State of Alabama, approved April 23, 1875.

H. B. 108. To amend section 214 of the Revised Code.

H. B. 114. To amend section 3902 of the Revised Code.

H. B. 116. To amend section 3570 of the Revised Code.

H. B. 117. To require circuit judges more promptly to dispose of all business in the circuit courts.

H. B. 118. To prohibit solicitors from receiving fees in cases in which a *nolle prosequi* is entered on their motion.

H. B. 119. To permit the juries to take written charges on their retirement.

H. B. 120. To amend section 3576 of the Revised Code.

H. B. 121. To amend section 2756 of the Revised Code.

H. B. 124. To provide for the revision and digesting of the public statutes of this State;

Were severally read the second time and referred to the committee on the judiciary.

WAYS AND MEANS.

The bill—

H. B. 111. To authorize county commissioners to refund money to tax collectors in certain cases;

Was read the second time and referred to the committee on ways and means.

FEES AND SALARIES.

The bill—

H. B. 109. To fix the per diem and mileage of the jurors in the several counties in this State;

Was read the second time and referred to the committee on fees and salaries.

LOCAL LEGISLATION.

The bill—

H. B. 105. To fix the time of holding the circuit court of the county of Clarke, and to regulate the practice therein in certain cases;

Was read the second time and referred to the committee on local legislation.

TEMPERANCE.

The bills—

H. B. 113. To repeal an act prohibiting the sale or giving away of spirituous, vinous or malt liquors, &c., within three miles of Bethsaida Church, and Beulah Baptist Church, in Montgomery county, approved March 18, 1875;

H. B. 115. To repeal an act to prohibit the sale or otherwise disposing of spirituous liquors within four miles of Leto-

hatchie and Steep Creek Churches in Lowndes county, and Tabernacle Church, in Montgomery county, approved December 13, 1873.

H. B. 123. To repeal an act to prohibit the sale of vinous, spirituous and intoxicating liquors, within five miles of certain churches in Cherokee county, and within five miles of Wilsonville and Harpersville, in Shelby county, approved March 20, 1875, only so far as the same applies to Wilsonville and Harpersville, in Shelby county;

Were severally read the second time and referred to the committee on temperance.

CORPORATIONS.

H. B. 107. To incorporate Haw Ridge Academy, in Coffee county;

Was read the second time and referred to the committee on corporations.

PENITENTIARY.

The bill—

H. B. 125. To authorize the warden of the penitentiary to sue in the courts of Elmore county for the collection of all claims due him as warden;

Was read the second time and referred to the committee on the penitentiary.

INTERNAL IMPROVEMENTS.

The bill—

H. B. 112. To authorize the construction of geological sections in miniature of the Cahaba and Warrior coal measures in the State of Alabama, illustrative of their contained coal, black band iron ore, fire clay, and other minerals, for exhibition at the Centennial at Philadelphia;

Was read the second time and referred to the committee on internal improvements.

SPECIAL COMMITTEE ON REVENUE.

The bill—

H. B. 106. To amend section 50 of the act to establish revenue laws for the State of Alabama, approved March 19, 1875;

Was read the second time and referred to the special joint committee on revenue.

The bill—

H. B. 122. To fix the time of holding the circuit courts of the ninth judicial circuit;

Was read the second time and referred to a special committee consisting of members from that circuit.

The bill—

H. B. 110. To fix the mileage and per diem of the county commissioners of the several counties in this State;

Was read the second time.

Mr. Stallworth moved to amend by making the per diem "two and 50-100 dollars," instead of \$3.00.

The bill, with the amendment, was referred to the committee on fees and salaries.

SENATE BILLS.

The house next proceeded to the consideration of senate bills:

The senate bills—

S. B. 25. To authorize letters testamentary to be issued to persons who are non-residents of this State;

S. B. 78. To the appointment of a judge or judges of the supreme court *pro tempore* in certain cases;

Were severally read the second time and referred to the committee on judiciary.

The senate bills—

S. B. 10. To amend section 68 of the Revised Code;

S. B. 11. To amend section 718 of the Revised Code;

S. B. 12. To amend section 76 of the Revised Code;

S. B. 13. To amend section 104 of the Revised Code;

S. B. 14. To amend section 669 of the Revised Code;

S. B. 15. To amend section 761 of the Revised Code;

S. B. 31. To prescribe the counties in which suits may be instituted upon the official bonds of State officers or of any person or persons who have been State officers;

S. B. 34. To amend section 3902 of the Revised Code;

Were severally read the first time and ordered to a second reading on to-morrow.

By leave bills were introduced:

By Mr. Forsyth—

H. B. 126. To provide a fund for the support of public schools during the scholastic year 1875 and 1876;

By Mr. Purcell—

H. B. 127. To regulate proceedings for change of venue;
Which bills were severally read once and ordered to a second reading on to-morrow.

By leave Mr. Fielder offered the following resolution :

Resolved, That the auditor be and he is hereby authorized to draw his warrant on the treasurer in favor of Lewis Cardinal for the sum of ten dollars, for repairing the flag pole and furnishing rope for the same for the house of representatives.

The resolution was referred to the committee on appropriations, with instructions to report by bill or otherwise.

ENROLLED BILLS.

Mr. Barron from the committee on enrolled bills, reported as correctly enrolled, the bill:

H. B. 1. Joint resolution suspending the operation of section 14 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

Leave of absence was granted Mr. Chambers for two days.

SIGNING BILL BY THE SPEAKER.

The speaker, in the presence of the house, and immediately after the title had been publicly read, signed the bill:

H. B. 1. Joint resolution suspending the operations of section 14 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

On motion of Mr. Baldwin, the house adjourned until Monday, 12 m.

ELEVENTH DAY.

MONDAY, January 10, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Andrews of Montgomery.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bierne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Clements, Cook, Coon, Cockrell, Davis, Dickson, Edwards, Espy, Fagan, Farriss, Fielder,

Forsyth, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Maples, Martin, Mathews, Mitchell, Nelson, Price, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—80.

The journal of yesterday was read and approved.

Mr. Coon withdrew his motion to reconsider the vote passing the bill :

H. B. 5. To amend section 3279 of the Revised Code.

Mr. Wilson moved to reconsider the action of the house on the report of a majority of the judiciary committee in relation to requiring notice for the repeal of special or local laws.

Mr. Greene of Lee moved to lay the motion on the table. Lost.

Mr. Brewer moved to postpone the further consideration of the motion to reconsider until one o'clock to-morrow, and make it the special order for that hour ;

Which, on motion of Mr. Lewis, was laid on the table, and the motion to reconsider was lost.

Mr. Beirne, by leave, reported favorably to the senate bill—

s. B. 78. For the appointment of a judge or judges of the supreme court *pro tempore* in certain cases ;

Which bill was read the third time and passed—yeas 73, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Brantly, Brown, Clements, Cook, Coon, Cockrell, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Mathews, Mitchell, Nelson, Price, Purcell, Reid, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—73.

On motion of Mr. Anderson, (Mr. Clements in the chair,) the special order for one p. m. to-day, viz., the bill—

H. B. 44. To limit the time in which prosecutions hereafter instituted under the bastardy laws of this State must be commenced;

Was postponed and made the special order for one p. m. to-morrow.

Mr. Price, from the special committee, made the following report:

Mr Speaker—

The special committee on the new constitution, having had under consideration section 46, of article 4, of the constitution, which requires the general assembly, at its present session, "to make provision by law for the revision, digesting, and promulgation of the public statutes of this State of a general nature, both civil and criminal," beg leave to report the accompanying bill, and recommend its passage by the house.

THOMAS H. PRICE,
Chairman.

The bill reported by the committee, being entitled—

H. B. 128. To provide for the revision, digesting, and promulgation of the public statutes of this State of a general nature;

Was read the first time and ordered to a second reading on to-morrow.

Mr. Price also submitted the following report:

Mr. Speaker:

The special committee on the new constitution beg leave to make the following report: That there being grave doubts and much diversity of opinion, arising on the construction of section 5, article 4, of the constitution, as to whether or not the present session of the general assembly is or is not the first biennial session, or a session at all alluded to in that section, and appreciating the importance of a correct determination of that question, from the fact that the inauguration and working of the State government, under the election to be held in August next, depends largely on the enactments of the general assembly, at its present session, under section 2, article 16, of the constitution, the chairman of your committee, on the 5th inst., for the purpose of bringing the question before the house for consideration, offered a bill, based on the theory that the present is the first biennial session, and providing for a special session in November next to in-

augurate the State officers to be elected in August next, with a view of having the same, with such different views as might be, in the shape of substitutes and amendments, referred to the committee for consideration and report, and accordingly said bill, with a substitute and several amendments, were so referred, and your committee, after having considered the same, instruct me to report the following bill as a substitute for the bill referred to, and recommend its passage by the house.

THOS. H. PRICE,
Chairman.

The substitute reported by the committee, entitled—
H. B. 82. An act to fix the time of meeting of biennial sessions of the general assembly;

Was adopted, and on motion of Mr. Woolf, the further consideration of the bill was postponed and made the special order for Wednesday next, 12 m.

REPORT FROM SPECIAL COMMITTEE ON RULES.

Mr. Anderson, from the special committee on rules, reported a series of rules for the government of the house.

After some time spent in the consideration of the report on motion of Mr. Woolf, its further consideration was postponed and made the special order for to-morrow, immediately after the reading of the journal.

Leave of absence was granted Mr. Tate for one day, and Mr. Baker until to-morrow.

On motion, the house adjourned until to-morrow morning, 11 o'clock.

TWELFTH DAY.

TUESDAY, January 11, 1876.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Andrews.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Clements, Cook, Coon, Cock-

rell, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Purcell, Rabby, Reese, Reid, Ross, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—76.

The journal of yesterday was read and approved.

The speaker, in the presence of the house and immediately after the title had been publicly read, signed the senate bill—s. B. 78. For the appointment of a judge or judges of the supreme court *pro tempore*, in certain cases.

Leave of absence was granted Mr. Jones of Pickens, on account of sickness in his family, for five days.

The house next proceeded to the consideration of the rules reported by the committee on yesterday, and made the special order for this hour.

Mr. Price moved to amend rule 26, as reported by the committee, (it being the rule that prescribes the order of business,) so as to make the call of the counties the first business in order after the reading of the journal.

On motion of Mr. Anderson, (Mr. Smith of Franklin, in the chair,) the amendment was laid on the table.

Mr. Price moved to amend by adding the following to the third order of business as reported by the committee, "and motions for special orders."

On motion of Mr. Anderson, the amendment was laid on the table, and the rules reported by the committee were adopted as a whole, and one hundred and fifty copies to be printed under the subsisting order of the house.

Mr. Grant, by leave, introduced a bill—

H. B. 129. To constitute one chancery district of the counties of Calhoun and Cleburne;

Which was read once and ordered to a second reading on to-morrow.

Mr. Allen, by leave, introduced a bill—

H. B. 130. To compel patrons to send children to school in this State;

Which was read once, and pending its further consideration, the hour of 1 p. m. arrived, when the house proceeded to the consideration of the special order for this hour, viz:

The bill—

H. B. 58. To authorize the publication of the laws of a general character, passed at the present session.

On motion of Mr. Billups, the bill was recommitted and referred to the committee on the judiciary, with leave to report at pleasure.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 11, 1876.

Mr. Speaker :

The senate has originated and passed the following bills :

S. B. 60. To authorize the warden of the penitentiary to sue in all cases for dues to the penitentiary, either in the county of Elmore or of the residence of any defendant, as he may deem best.

S. B. 81. To repeal an act entitled an act to prohibit the assessment or collection of, or the appropriation of the tax of Pike county, for the erection of a courthouse.

S. B. 99. To repeal an act to regulate the time of holding probate court of Lee county, approved Jan. 25th, 1867.

S. B. BREWER,
Secretary.

BILLS ON THEIR SECOND READING.

The bill—

H. B. 126. To provide a fund for the support of public schools during the scholastic year 1875-6 ;

Was read the second time and referred to the committee on education.

The bill—

H. B. 127. To regulate proceedings for change of venue ;

Was read the second time and referred to the special committee on the new constitution.

The bills—

H. B. 128. To provide for the revision, digesting and promulgation of the public statutes of this State of a general character.

Senate bills—

S. B. 31. To prescribe the counties in which suits may be instituted upon the official bonds of State officers, or of any person or persons who have been State officers.

S. B. 34. To amend section 3902 of the Revised Code ;

Were severally read the second time and referred to the committee on the judiciary.

FEES AND SALARIES.

The senate bills—

s. B. 10. To amend section 68 of the Revised Code ;

s. B. 11. To amend section 718 of the Revised Code ;

s. B. 12. To amend section 76 of the Revised Code ;

s. B. 13. To amend section 104 of the Revised Code ;

s. B. 14. To amend section 667 of the Revised Code ;

s. B. 15. To amend section 761 of the Revised Code ;

Were severally read the second time and referred to the committee on fees and salaries.

The senate bill—

s. B. 60. To authorize the warden of the penitentiary to sue, in all cases for dues to the penitentiary, either in the county of Elmore, or of the residence of any defendant, as he may deem best ;

Was read once and ordered to a second reading on tomorrow.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced—

By Mr. Nelson—

H. B. 131. To provide for and fix the rate of wharfage and storage on all the navigable waters of this State ;

By Mr. Gullledge—

H. B. 132. To amend so much of an act to amend an act entitled an act to prescribe the time of holding the circuit courts in the tenth judicial circuit, approved February 20th, 1875, as relates to the county of Coosa ;

By Mr. Rousseau—

H. B. 133. To regulate mortgage sales ;

By Mr. Coon—

H. B. 134. To declare usury a misdemeanor, and to prescribe its punishment ;

By Mr. Martin—

H. B. 135. To repeal the act, approved March 6, 1875, to amend section 3695 of the Revised Code ;

By Mr. Reese—

H. B. 136. To amend section 23 of an act to regulate elections in the State of Alabama ;

By Mr. Maples—

H. B. 137. To amend section 1859 of the Revised Code ;

Also,

H. B. 138. To establish jurisdiction in civil and criminal cases in the circuit courts in this State ;

By Mr. Leslie—

H. B. 139. To repeal an act to amend section 957 of the Revised Code, approved March 8, 1875 ;

Also,

H. B. 140. To amend section 15 of the revenue law of this State ;

By Mr. Beirne—

141. To guard against frivolous and vexatious litigation in the chancery courts of this State ;

By Mr. Woolf—

H. B. 142. To incorporate the Marengo Manufacturing Company ;

Which bills were severally read once and ordered to a second reading on to-morrow.

By Mr. Woolf—

H. B. 143. To amend section 4013 of the Revised Code ;

Which was read once and ordered to a second reading on to-morrow.

Mr. Woolf introduced a bill, accompanied with notice of intention to apply for the passage of the bill as prescribed in section 24, article 4, of the constitution, entitled

H. B. 144. An act to establish the city court of Selma.

Mr. Blevins moved to lay the bill on the table. Lost—yeas 24, nays 53.

Those who voted yea are—

Messrs. Allen, Baldwin, Blevins, Bliss, Boyd, Brantley, Cook, Coon, Cockrell, Fagan, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Jenkins, Lee, Lewis, Locke, Martin, Mathews, Reese, Reid, Sims, Witherspoon and Wynne—24.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Clements, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Kimmey, Kirkland, Leslie, Maples, Nelson, Price, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straghan, Townsend, Troup, Wharton, Wilson, Wood of Talladega and Woolf—53.

The bill was ordered to a second reading on to-morrow.

Mr. Rice presented a memorial from citizens of Madison county, against collecting revenue from license tax ;

Which was referred to the special joint committee on revenue.

Mr. Betts offered the following resolution, which was adopted :

Resolved, That the committee on ways and means be instructed to consider whether the justices of the peace shall not be charged with the duty of assessing State and county taxes in their respective districts.

SPECIAL ORDER.

The hour of one o'clock having arrived, the house proceeded to the consideration of the special order for this hour, it being the bill—

H. B. 44. To limit the time in which prosecutions hereafter instituted under the bastardy laws of this State must be commenced.

Mr. Harris of Dallas moved to postpone the further consideration of the bill until to-morrow morning, immediately after the reading of the journal. Lost.

The bill was read the third time and lost—yeas 35, nays 41.

Those who voted yea are—

Messrs. Allen, Andrews, Baldwin, Beirne, Betts, Billups, Blevins, Brown, Cook, Coon, Dillon, Espy, Greene of Jefferson, Gullledge, Higgins, Huey, Kimmey, Lee, Leslie, Locke, Maples, Mathews, McDuffie, Price, Purcell, Reid, Rice, Rousseau, Shepard, Stallworth, Straughn, Townsend, Wharton, Wood of Talladega and Woolf—35.

Those who voted nay are—

Messrs. Speaker, Aldridge, Barnett, Barron, Bell, Bliss, Bonner, Boyd, Brewer, Clements, Cockrell, Davis, Edwards, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Holloway, Jenkins, Kirkland, Lewis, Martin, Nelson, Rabby, Reese, Ross, Sims, Smith of Franklin, Stevens, St. John, Troup, Wilson, Witherspoon and Wynne—41.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

January 11, 1876.

Mr. Speaker :

The Governor has approved the following joint resolution, which originated in the house of representatives :

H. B. 1. Joint resolution suspending the operation of section fourteen of an act entitled an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

Respectfully,

L. R. DAVIS,
Private Sec'y.

Mr. Barnett offered the following resolution, which was adopted:

Resolved, That the Auditor be and he is hereby instructed to give notice at once to the different tax assessors throughout the State, by circular letter, of the passage of the act suspending the operation of section fourteen of the revenue law until the first of March next.

The speaker announced the changes he had made in the standing committees of the house, under the resolution of Mr. Woolf; 150 copies of the standing committees were ordered to be printed for the use of the house.

On motion of Mr. Allen, the house adjourned until to-morrow morning, ten o'clock.

THIRTEENTH DAY.

WEDNESDAY, January 12, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members answered to their names:

Mesrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Rabby, Reese, Rice, Ross, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Town-

send, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—87.

The journal of yesterday was read and approved.

Mr. Greene of Lee, from special committee, reported favorably to the bill—

H. B. 122. To fix the time for holding the circuit courts of the ninth judicial circuit;

Which bill was read the third time and passed—yeas 76, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Rabby, Reese, Rice, Ross, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Woolf.—76.

Leave of absence was granted Mr. Grant for to-day, on account of sickness.

The bill—

H. B. 130. To compel patrons to send children to school in this State;

Which was read once on yesterday, and its further consideration being cut off by special order, was ordered to a second reading on to-morrow.

The bills—

H. B. 129. To constitute one chancery district of the counties of Calhoun and Cleburne;

H. B. 133. To regulate mortgage sales;

H. B. 134. To declare usury a misdemeanor, and to prescribe its punishment;

H. B. 135. To repeal the act approved March 6, 1875, to amend section 3695 of the Revised Code;

H. B. 137. To amend section 1859 of the Revised Code;

H. B. 141. To guard against frivolous and vexatious litigation in the chancery courts of this State;

H. B. 143. To amend section 4013 of the Revised Code;

Were severally read the second time and referred to the committee on the judiciary.

The bill, (with the petitions submitted)—

H. B. 144. To establish the city court of Selma;

Was read the second time, and, with the accompanying petitions, was referred to the committee on the judiciary.

The bill—

H. B. 131. To provide for and fix the rates of wharfage and storage on all the navigable waters of this State;

Was read the second time and referred to the committee on agriculture and commerce.

The bill—

H. B. 132. To amend so much of the act to amend an act entitled an act to prescribe the time of holding the circuit courts in the tenth judicial circuit, approved February 20th, 1875, as relates to the county of Coosa;

Was read the second time and referred to the committee on local legislation.

The bill—

H. B. 136. To amend section 23 of an act to regulate elections in the State of Alabama;

Was read the second time and referred to the committee on privileges and elections.

The bill—

H. B. 142. To incorporate the Marengo Manufacturing Company;

Was read the second time and referred to the committee on corporations.

The bill—

H. B. 138. To establish jurisdiction in civil and criminal cases in the circuit courts in this State;

Was read the second time, and, on motion of Mr. Maples, laid on the table.

The bill—

H. B. 139. To repeal an act to amend section 957 of the Revised Code, approved March 8, 1875;

Was read the second time and referred to the committee on education.

The bill—

H. B. 140. To amend section 15 of the revenue law of this State;

Was read the second time and referred to the special joint committee on revenue.

The senate bill—

S. B. 60. To authorize the warden of the penitentiary to

sue in all cases for dues to the penitentiary, either in the county of Elmore or of the residence of any defendant, as he may deem best;

Was read the second time and referred to the committee on the penitentiary.

The senate bills—

S. B. 81. To repeal an act entitled an act to prohibit the assessment or collection of, or the appropriation of the tax of Pike county, for the erection of a court house;

S. B. 99. To repeal an act to regulate the time of holding probate court of Lee county, approved January 25, 1867;

Were severally read the first time and ordered to a second reading on to-morrow.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced—

By Mr. St. John—

H. B. 145. To repeal an act in relation to the victualing of prisoners in jail, approved December 17, 1878.

By Mr. Mitchell—

H. B. 146. To amend sub-division 5 of section 103 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Harris of Perry—

H. B. 147. To prescribe the mode of giving notice, as required under article 4 of section 24 of the constitution.

By Mr. Billups—

H. B. 148. To amend section 751 of the Revised Code.

Also,

H. B. 149. To repeal sub-division 17 of section 102 of revenue laws of this State, approved March 19, 1875.

Also,

H. B. 150. To amend section 3936 of the Revised Code.

By Mr. Chambers—

H. B. 151. To fix the fees of sheriffs for feeding prisoners.

Also,

H. B. 152. To regulate the formation of juries in criminal cases, and to amend sections 4173, 4178 and 4179 of the Revised Code.

By Mr. Huey—

H. B. 153. To regulate the trial of the right of property in certain cases, in suits brought to recover personal property in specie.

Also,

H. B. 154. To define the time of the close of the tax year of Alabama.

By Mr. Tate—

H. B. 155. To regulate the fine and forfeiture fund.

By Mr. Dillon—

H. B. 156. To repeal an act of the board of education, entitled an act to suspend the sale of sixteenth sections of land in certain localities, approved December 11th, 1874.

By Mr. Brown—

H. B. 157. To amend section five of an act to amend the corporation laws of Alabama;

Which bills were severally read once and ordered to a second reading on to-morrow.

By Mr. Chambers—

H. B. 158. To regulate the system of penal labor in the several counties in Alabama;

Which was read once and ordered to a second reading on to-morrow.

On motion of Mr. Coon, 150 copies of the bill were ordered printed.

By Mr. Jenkins, with petition and counter petition—

H. B. 159. To repeal an act to prohibit the selling of vinous or spirituous liquors within two miles of Snow Hill Depot, and within two miles of Bethsaida Baptist Church, in Wilcox county.

And, also, submitted evidence of publication of notice of intention to apply for the repeal of said act as prescribed in section 24, article 4 of the constitution.

The bill was read once and ordered to a second reading on to-morrow.

Mr. Coon offered the following resolutions:

Resolved, That the clerk of this house is hereby instructed to see that the proper notice accompanying bills, of a local or special character, presented in this house, shall be officially certified to, and that said certified notice shall be referred, with the bill, to the committee. Should the bill pass the house, then it shall be the duty of the clerk to see that the certified notice shall accompany the bill to the senate.

Resolved, That the clerk of this house be instructed to request of the secretary of the senate a certified copy of the notice given on all senate bills of a local or special character.

Mr. Billups moved to amend, by way of a substitute, as follows:

Resolved, That the notices accompanying local bills as pre-

scribed in section 24 of article 4 of the constitution, be attached to the bill, and be referred with it to the committee.

Resolved further, That when such bill passes the House, the clerk shall have the original notices and evidence of publication attached to the engrossed copy, with his certificate on the back that it is so attached.

The substitute was adopted and the resolution, as amended, was adopted.

Mr. Herman offered the following resolution :

Resolved by the General Assembly of Alabama, That a joint committee of three from the house and two from the senate be appointed to enquire into and report by bill or otherwise, how much money, if any, is necessary and ought to be appropriated by the General Assembly of Alabama, for the purpose of securing to the State a proper representation in the centennial celebration, to be held in Philadelphia on the 4th of July next.

Mr. Rice moved to lay the resolution on the table.

Lost. Yeas 34, nays 48.

Those who voted yea are—

Messrs. Aldridge, Andrews, Beirne, Bell, Brewer, Clements, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gullett, Hamilton, Harris of Chambers, Heaton, Holloway, Huey, Kimmey, Maples, Prowell, Purcell, Reid, Rice, Smith of Franklin, St. John, Townsend, Troup, Wharton, Wilson and Witherspoon—34. •

Those who voted nay are—

Messrs. Speaker, Allen, Baldwin, Barnett, Barron, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Brantley, Cashin, Chambers, Cook, Coon, Cockrell, Crews, Fagan, Forsyth, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Harris of Dallas, Harris of Perry, Herman, Higgins, Jenkins, Jones of Russell, Kirkland, Lee, Leslie, Lewis, Locke, Martin, Matthews, Mitchell, Nelson, Price, Reese, Sims, Smith of Bullock, Stallworth, Stevens, Tate, Wood of Talladega, Woolf and Wynne—48.

And the resolution was adopted. Yeas 48, nays 35.

Those who voted yea are—

Messrs. Speaker, Allen, Baldwin, Barnett, Barron, Billups, Blevins, Bonner, Boyd, Brantley, Brown, Carson, Cashin, Chambers, Cook, Coon, Cockrell, Crews, Espy, Fagan, Fielder, Forsyth, Greene of Jefferson, Greene of Lee, Harris of Dallas, Harris of Perry, Herman, Higgins, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Martin, Matthews, Mitchell, Nelson, Price, Reese, Sims, Witherspoon,

Wood of Marengo, Wood of Talladega, Woolf and Wynne—48.

Those who voted nay are—

Messrs. Aldridge, Beirne, Bell, Bennett, Betts, Bliss, Brewer, Clements, Davis, Dickson, Dillon, Edwards, Farriss, Franklin, Gibson, Gullledge, Hamilton, Harris of Chambers, Heaton, Holloway, Huey, Maples, Prowell, Purcell, Reid, Rice, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Townsend, Troup, Wharton and Wilson—35.

Committee on the part of the house, Messrs. Herman, Forsyth and Chambers.

MESSAGE FROM THE SENATE.

SENATE CHAMBER, January 12, 1876.

Mr. Speaker :

The senate has adopted the following joint resolution:

Be it resolved by the Senate of Alabama, (the house of representatives concurring), That a committee of two on the part of the senate and three on the part of the house, be appointed to visit the State penitentiary and examine the condition of said institution and report to this general assembly at as early a period as practicable.

Committee on the part of the senate, Messrs. Walton and Driesbach.

The senate has originated and passed the following bill:

S. B. 107. To repeal an act so far as it relates to Butler county, approved March 19, 1875, in relation to trials for misdemeanors in Tuscaloosa and other counties therein named.

The senate has amended, by substitute, and passed the following house bill:

H. B. 2. To repeal section 39 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

S. B. BREWER,

Sec'y of Senate.

On motion of Mr. Woolf, the house concurred in senate joint resolution appointing a joint committee to visit the penitentiary.

Committee on the part of the house, Messrs. Greene of Lee, Fielder and Mitchell.

SPECIAL ORDER.

The hour of 12 o'clock having arrived, the house proceeded to the consideration of the special order for this hour, it being the bill—

H. B. 82. To fix the time of meeting of biennial sessions of the general assembly;

Which was read the third time and passed—yeas 77, nays 6.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Barnett, Barron, Beirne, Bell, Bennett, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Sims, Smith of Bullock, Stallworth, St. John, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—77.

Those who voted nay are—

Messrs. Betts, Kimmey, Reese, Reid, Smith of Franklin and Stevens—6.

REPORTS OF STANDING COMMITTEES.

Mr. Beirne, from the judiciary committee, reported favorably to the bill—

H. B. 57. To amend section 654 of the Revised Code.

Mr. Rice moved to indefinitely postpone the further consideration of the bill. Lost.

And the bill was read the third time and passed.

Yeas 4, nays 28.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Barron, Bonner, Brewer, Brantley, Chambers, Clements, Cook, Coon, Crews, Dillon, Espy, Fagan, Fielder, Forsyth, Gilmer of Montgomery, Gullledge, Harris of Chambers, Harris of Dallas, Heaton, Herman, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Ross, Sims, Smith of Bullock, Stevens, Tate, Wharton, Wood of Talladega, Woolf and Wynne—48.

Those who voted nay are—

Messrs. Beirne, Bell, Betts, Billups, Blevins, Bliss, Boyd,

Brown, Davis, Dickson, Edwards, Farriss, Franklin, Gibson, Greene of Jefferson, Hamilton, Harris of Perry, Higgins, Leslie, Maples, Reese, Reid, Rice, Smith of Franklin, Stallworth, Townsend, Troup and Wilson—28.

Mr. Beirne, from same committee, reported back the bill—

H. B. 30. To enforce the collection of the poll tax ;

And asked that it be referred to the special joint committee on revenue. The bill was so referred.

Also, reported favorably to the bill—

H. B. 60. To amend an act to protect owners of stock on the line of railroads in this State, approved April 23, 1873 ;

Which bill was read the third time and passed—yeas 70, nays 5.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Bennett, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Chambers, Clements, Cook, Coon, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Russell, Kirkland, Lee, Leslie, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Rabby, Reid, Rice, Ross, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega and Woolf—70.

Those who voted nay are—

Messrs. Beirne, Betts, Billups, Cockrell, Reese and Wynne—5.

Also, favorably to the bill—

H. B. 71. To repeal an act in relation to appeals from justices' courts ;

Which bill was read the third time and passed—yeas 59, nays 23.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Leslie, Maples, Martin, Mitchell, Nelson, Price, Prowell, Rabby, Rice, Ross, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend,

Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Woolf—59.

Those who voted nay are—

Messrs. Allen, Baldwin, Bennett, Blevins, Bliss, Boyd, Cashin, Cook, Coon, Cockrell, Fagan, Franklin, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Mathews, Reese, Reid, Witherspoon and Wynne—23.

Also, favorably to the bill—

H. B. 114. To amend section 3902 of the Revised Code.

Mr. Baldwin moved to lay the bill on the table. Lost. And the bill was read the third time and passed—yeas 69, nays 11.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Martin, Mitchell, Nelson, Price, Prowell, Purcell, Rabby, Reid, Rice, Ross, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, Woolf and Wynne—69.

Those who voted nay are—

Messrs. Allen, Baldwin, Blevins, Fagan, Lee, Lewis, Locke, Mathews, Reese, Smith of Bullock, and Witherspoon—11.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 12, 1876.

Mr. Speaker :

I am instructed by the senate to request the return of house bill—

H. B. 2. To repeal section 39 of an act entitled an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

S. B. BREWER,
Secretary.

On motion of Mr. Clements, the clerk was instructed to return to the senate house bill No. 2, as requested.

On motion of Mr. Barnett, the special joint committee on revenue was allowed to set apart from the house during tomorrow's session.

On motion of Mr. Chambers, the house adjourned until tomorrow morning, 11 o'clock.

FOURTEENTH DAY.

THURSDAY, January 13, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members answered to their names :

Mesrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barrón, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Jefferson, Gullede, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—84.

The journal of yesterday was read and approved.

Leave of absence was granted Mr. Rabby five days ; Messrs. Bozeman and Lee until Monday, on account of sickness.

BILLS ON SECOND READING.

The bills—

H. B. 147. To prescribe the mode of giving notice, as required under article 4, section 24, of the constitution ;

H. B. 148. To amend section 751 of the Revised Code ;

H. B. 150. To amend section 3938 of the Revised Code ;

H. B. 152. To regulate the formation of juries in criminal

cases, and to amend sections 4173, 4178 and 4179 of the Revised Code;

H. B. 153. To regulate the trial of the right of property, in certain cases, in suits brought to recover personal property in specie;

H. B. 155. To regulate the fine and forfeiture fund;

H. B. 158. To regulate the system of penal labor in the several counties in the State of Alabama;

Were severally read the second time and referred to the committee on the judiciary.

The bill—

H. B. 145. To repeal an act in relation to the victualling of prisoners in jail;

Was read the second time and referred to the committee on fees and salaries.

The bills—

H. B. 146. To amend subdivision 5, of section 103, of an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

H. B. 149. To repeal subdivision 17 of section 102 of revenue law of this State, approved March 19, 1875;

H. B. 154. To define the time of the close of the tax year of Alabama;

Were severally read the second time and referred to the special joint committee on revenue.

The bill—

H. B. 157. To amend section 5 of an act to amend the corporation laws of Alabama;

Was read the second time and referred to the committee on corporations.

The bill—

H. B. 156. To repeal an act of the board of education to suspend the sale of 16th sections of land in certain localities, approved December 11, 1874;

Was read the second time and referred to the committee on education.

The bill—

H. B. 159. To repeal an act to prohibit the selling of vinous or spirituous liquors within two miles of Snow Hill depot, and within two miles of Bethsaida Baptist church, in Wilcox county;

Was read the second time and referred to the committee on temperance.

The senate bills—

S. B. 81. To repeal an act to prohibit the assessment or

collection of, or the appropriation of the tax of Pike county, for the erection of a court house;

s. B. 99. To repeal an act to regulate the time of holding the probate court of Lee county, approved January 25, 1867;

Were severally read the second time and referred to the committee on local legislation.

The bill—

H. B. 130. To compel patrons to send children to school in this State;

Was read the second time, and on motion of Mr. Stribling, laid on the table.

The bill—

H. B. 151. To fix the fees of sheriffs for feeding prisoners;

Was read the second time, and on motion of Mr. Baldwin, laid on the table.

The senate bill—

s. B. 107. To repeal an act, so far as it relates to Butler county, approved March 19, 1875, in relation to trials for misdemeanors in Tuscaloosa, and other counties therein named;

Was read once and ordered to a second reading on tomorrow.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. Beirne—

H. B. 160. To protect persons having an interest in personal property as tenants in common or part owners thereof.

By Mr. Rice—

H. B. 161. To authorize and empower chancellors in this State to hear and render final decrees in certain cases therein mentioned, in vacation as well as in term time.

By Mr. Hamilton—

H. B. 162. To fix the time of holding the circuit courts in and for the third judicial circuit of this State.

By Mr. Harris of Perry—

H. B. 163. To amend section 3862 of the Revised Code.

By Mr. Jones of Russell—

H. B. 164. To amend section 900 of the Revised Code.

By Mr. Chambers—

H. B. 165. To amend section 3300 of the Revised Code.

By Mr. Clements—

H. B. 166. To provide for and secure the collection of so much of the taxes of the year 1875, as shall remain uncollected at the time of the approval of this act by the tax collector of each county, who was elected at the general election held in such county on the Tuesday after the first Monday in November, 1874.

By Mr. Brown—

H. B. 167. To abolish the registration oath.

By Mr. Ross—

H. B. 168. To amend section 509 of the Revised Code.

By Mr. Stribling—

H. B. 169. To appropriate the sum of fifty dollars to E. H. Gordy, probate judge of Washington county for the purposes therein named.

By Mr. Baldwin—

H. B. 170. To amend subdivision 5 of section 102 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Bell—

H. B. 171. To incorporate the Cherokee transportation company.

By Mr. Gullledge—

H. B. 172. To punish the crime of bribery.

By Mr. Anderson (with petition)—

H. B. 173. To repeal subdivision 6 of section 103 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

Which bills were severally read once and ordered to a second reading on to-morrow.

By Mr. Billups—

H. B. 174. To regulate the pay of members of the general assembly;

Which was read once.

Mr. Mathews moved to lay the bill on the table. Lost.

And the bill was ordered to a second reading on to-morrow.

By Mr. Chambers—

H. B. 175. Joint memorial to the congress of the United States, asking a repeal of the act of January 19, 1875, providing for the resumption of specie payments;

Which was read.

Mr. Rice moved to amend by striking out the word "senators," and inserting "senator."

On motion of Mr. Smith of Bullock, the amendment was laid on the table—yeas 49, nays 31.

Those who voted yea are—

Messrs. Speaker, Allen, Andrews, Baldwin, Bennett, Blevins, Bliss, Boyd, Brantley, Carson, Cashin, Chambers, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Gilmer of Montgomery, Hamilton, Harris of Dallas, Harris of Perry, Holloway, Jones of Russell, Kimmey, Leslie, Lewis, Locke, Martin, Mathews, Nelson, Price, Purcell, Reese, Reid, Ross, Rousseau, Sims, Smith of Bullock, St. John, Straughn, Stribling, Witherspoon, Wood of Talladega, and Wynne—49.

Thos who voted nay are—

Messrs. Aldridge, Beirne, Bell, Billups, Bonner, Brown, Clements, Dickson, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Greene of Jefferson, Gulledge, Harris of Chambers, Heaton, Higgins, Huey, Kirkland, Maples, Prowell, Rice, Shepard, Smith of Franklin, Stevens, Townsend, Troup, Wharton and Wilson—31.

The memorial was referred to the committee on federal relations.

Mr. Beirne offered the following joint resolution :

WHEREAS, Grave doubts have arisen in the minds of members as to the time this session of the general assembly may continue in session, under existing laws.

Be it therefore resolved by the house (the senate concurring), That the general assembly will devote its time to the passage of general appropriation bills, or proper revenue bills, such laws as may be required in relation to schools, and such other laws as may be necessary to place the wheels of government in successful operation, under the present constitution.

Mr. Smith of Franklin, offered the following a substitute :

WHEREAS, There is great doubt as to the constitutional duration of the present session of the general assembly of Alabama ; therefore,

Be it resolved by the House (the senate concurring), That this general assembly is only thirty days duration.

On motion of Mr. Stribling, the resolution and the substitute were laid on the table.

Mr. Smith of Bullock, offered the following joint resolution :

Resolved by the house (the senate concurring), That it is the sense of this general assembly that section 5, of article 4, of the constitution, as to limitation of legislative sessions, does not apply to the present general assembly, and that this session continue for sixty days, dating from the 28th of December, 1875.

On motion of Mr. Stribling, the resolution was laid on the table.

Mr. Greene of Jefferson, offered the following resolution, which was adopted :

Resolved, That the committee on education be instructed to report a bill to establish a system of public schools, in accordance with the provisions of the constitution of the State.

Mr. Aldridge offered the following resolution :

Resolved, That when taking the vote by yeas and nays, and after the voting has commenced, no member shall be allowed to interrupt the progress of the vote to give reasons why he votes yea or nay, or for any other purpose ;

Which, on motion of Mr. Stribling, was laid on the table.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 13th, 1876.

Mr. Speaker :

The senate has originated and passed the following bills :

S. B. 59. Prescribing how private corporations may increase their capital stock, or bonded indebtedness.

S. B. 35. To repeal an act to amend section 3470 of the Revised Code, approved December 8th, 1873.

S. B. 58. To regulate the individual liability of stockholders in private corporations.

S. B. BREWER,
Secretary.

REPORTS FROM COMMITTEES.

Mr. Clements, from the committee on education, reported favorably to the bill—

H. B. 6. To constitute the city of Birmingham a separate school district, and for the regulation of the public schools therein.

On motion of Mr. Greene of Jefferson, the bill was amended by inserting the word "school" between the words "public" and "fund," in 4th line of section 2.

The amendment was adopted, and the bill read the third time and passed—yeas 74, nays 0.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Billups, Blevins, Bliss, Bonner, Boyd, Baker, Brantley, Brown, Cashin, Clements, Cook, Coon, Cockrell, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss,

Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gulledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Wynne—74.

Also, from same committee, reported adversely to the bill—
H. B. 9. To amend section 3 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

Mr. Blevins moved to lay the report on the table. Lost—yeas 28, nays 49.

Those who voted yea are—

Messrs. Aldridge, Baldwin, Bennett, Blevins, Bliss, Cook, Fagan, Franklin, Gilmer of Montgomery, Gulledge, Hamilton, Holloway, Huey, Lewis, Locke, Reese, Reid, Rice, Ross, Shepard, Smith of Bullock, Stevens, St. John, Straughn, Wharton, Witherspoon, Wood of Talladega, and Wynne—28.

Those who voted nay are—

Messrs. Speaker, Allen, Andrews, Beirne, Bell, Billups, Bonner, Boyd, Baker, Brown, Chambers, Clements, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Espy, Farriss, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Sims, Smith of Franklin, Stallworth, Stribling, Townsend, Troup and Wilson—49.

The report was concurred in.

On motion of Mr. Blevins, the house adjourned until tomorrow morning, 11 o'clock.

FIFTEENTH DAY.

FRIDAY, January 14, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Wilson of the house.

On the call of the roll, the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—89.

The journal of yesterday was read and approved.

On motion of Mr. Smith of Franklin, the vote by which the bill—

H. B. 151. To fix the fees of sheriffs for feeding prisoners was laid on the table, was reconsidered.

Mr. Billups moved to amend by striking out "twenty-five cents" and inserting "thirty-five cents."

Mr. Harris of Perry, moved to amend the amendment by inserting "forty-five cents" in place of "thirty-five cents."

On motion of Mr. Greene of Jefferson, the bill, with the amendments, was referred to the committee on fees and salaries.

BILLS ON SECOND READING.

The bills—

H. B. 160. To protect persons having an interest in per-
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sonal property as tenants in common or part owners thereof.

H. B. 161. To authorize and empower chancellors in this State to hear and render final decrees in certain causes therein mentioned in vacation as well as in term time.

H. B. 165. To amend section 3300 of the Revised Code ;

H. B. 172. To punish the crime of bribery ;

Were severally read the second time and referred to the committee on the judiciary.

The bill—

H. B. 162. To fix the time of holding the circuit courts in and for the third judicial circuit ;

Was read the second time and referred to a special committee of members from the third judicial circuit ;

The bills—

H. B. 163. To amend section 3862 of the Revised Code ;

H. B. 174. To regulate the pay of members of the general assembly ;

Were severally read the second time, and referred to the committee on fees and salaries.

The bill—

H. B. 164. To amend section 900 of the Revised Code ;

Was read the second time and referred to the committee on counties and county boundaries.

The bill—

H. B. 166. To provide and secure the collection of so much of the taxes of the year 1875 as shall remain uncollected at the time of the approval of this act, by the tax collector of each county who was elected at the general election held in such county on Tuesday after the first Monday in November, 1874 ;

Was read the second time and referred to the committee on ways and means, with instructions to report by to-morrow.

The bill—

H. B. 167. To abolish the registration oath ;

Was read the second time and referred to the committee on privileges and elections.

The bill—

H. B. 168. To amend section 509 of the Revised Code ;

Was read the second time and referred to the committee on ways and means.

The bill—

H. B. 169. To appropriate the sum of fifty dollars to E. H. Gordy, probate judge of Washington county, for the purposes therein named ;

Was read the second time and referred to the committee on accounts and claims.

The bills—

H. B. 170. To amend subdivision 5 of section 102 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

H. B. 173. To repeal subdivision 6 of section 103 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

Were severally read the second time and referred to the special committee on revenue.

The bill—

H. B. 171. To incorporate the Cherokee Transportation Company;

Was read the second time and referred to the committee on corporations.

The senate bill—

S. B. 107. To repeal an act, so far as it relates to Butler county, approved March 19, 1875, in relation to trials for misdemeanors in Tuscaloosa and other counties therein named;

Was read the second time and referred to the committee on local legislation.

Mr. Rice gave notice that he would, on to-morrow, move to amend rule 26, by adding thereto the following:

“That the call of the counties, and reports from standing committees, shall alternate—that is, when the call of the counties is had first on one day, reports from standing committees shall have priority on the succeeding day.”

The senate bills—

S. B. 35. To repeal an act to amend section 3470 of the Revised Code of Alabama, approved December 8, 1873;

S. B. 58. To regulate the individual liability of stockholders in private corporations;

S. B. 59. Prescribing how private corporations may increase their capital stock and bonded indebtedness;

Were severally read once and ordered to a second reading on to-morrow.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced:

By Mr. Espy—

H. B. 176. To authorize the probate judges in the several counties in this State to order elections, in certain cases, relative to the abolition of fences;

By Mr. Davis—

H. B. 177. To change the boundary line between the counties of Chilton and Bibb ;

By Mr. Betts—

H. B. 178. To prohibit judges of the circuit courts from holding special terms, and to repeal the act of 3d February, 1875 ;

Also,

H. B. 179. To amend section 4225 (673) of the Revised Code ;

By Mr. Beirne—

H. B. 180. To authorize appeals to the supreme court on all judgments, or decrees granting or overruling motions for new trial at law, or rehearing in chancery ;

By Mr. Greene of Lee—

H. B. 181. To amend section 2 of an act to repeal an act entitled an act to establish a city court for the county of Lee, with criminal and civil jurisdiction ;

By Mr. Barnett—

H. B. 182. To amend section 3932 of the Revised Code ;

By Mr. Harris of Perry—

H. B. 183. To repeal an act to provide for the administration of the criminal laws, by the appointment of solicitors *pro tem.*, when necessary ;

By Mr. Huey—

H. B. 184. To regulate the sale of spirituous or vinous liquors in Alabama ;

By Mr. Jones of Russell—

H. B. 185. To amend section 4064 of the Revised Code ;

By Mr. Dillon—

H. B. 186. To incorporate the Gulf Mining Company ;

By Mr. Wood of Talladega—

H. B. 187. To amend section 1283 of the Revised Code ;

By Mr. Wharton—

H. B. 188. To require the several counties of this State to make adequate provision for the maintenance of the poor, as provided for in section forty-nine of article four of the constitution ;

By Mr. Jenkins—

H. B. 189. To amend section 3932 of the Revised Code ;

By Mr. Forsyth—

H. B. 190. To authorize the publication of legal advertisements in Sunday newspaper ;

Which bills were severally read once and ordered to a second reading on to-morrow.

By Mr. Purcell—

H. B. 191. To amend section 3691 of the Revised Code;
Which was read once.

Mr. Baldwin moved to lay the bill on the table. Lost, and the bill was ordered to a second reading on to-morrow.

Mr. Price offered the following joint resolution, which was adopted :

Resolved by the house of representatives, (the senate concurring therein), That the clerk of the house and secretary of the senate be and each of them are hereby instructed, in transmitting any special or local bill from the house to the senate, or from the senate to the house, such bills shall be accompanied with such notice, and proof of publication of same, as may be in the possession of the body from which such bill is sent; and when such bills are not so accompanied with notice and proof of publication, the same shall be treated and considered as though no such notice and proof was given or made.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 14, 1876.

Mr. Speaker :

I am instructed by the senate to return to the house the following house bill :

H. B. 2. To repeal section 39 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

Respectfully,

S. B. BREWER,
Secretary.

REPORTS FROM COMMITTEES.

Mr. Barnett, from the committee on ways and means, reported favorably to the bill—

H. B. 99. To refund money paid for licenses by merchants and dealers, other than commission merchants and brokers, under paragraph 20 of section 102 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

Which bill was read the third time and passed—yeas 75, nays 0.

Those who voted ye are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Bar-

nett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brown, Carson, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Grant, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Leslie, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Purcell, Reese, Ross, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Woolf and Wynne—75.

Mr. Greene, of Lee, from the committee on fees and salaries, reported favorably to the bill—

H. B. 103. To repeal an act to fix and define the ex-officio fees of the sheriff and circuit clerk of the county of Walker ;

Which bill was read the third time and passed—yeas 76. nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Brown, Carson, Chambers, Clements, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Grant, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Purcell, Reese, Reid, Ross, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Woolf and Wynne—76.

Also, from same committee, reported favorably to the bill—

H. B. 110. To fix the mileage and per diem of the county commissioners of the several counties in this State.

On motion of Mr. Rice, the bill was recommitted.

Also, favorably to the senate bill—

S. B. 15. To amend section 761 of the Revised Code.

Which bill was read the third time and passed—yeas 72, nays 5.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Bonner, Boyd, Brewer, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gilmer of Montgomery, Grant, Greene of Jefferson,

Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—72.

Those who voted nay are—

Messrs. Blevins, Cockrell, Lewis, Witherspoon and Wynne—5.

Mr. Davis, from the committee on counties and county boundaries, reported favorably to the bill—

H. B. 61. To change the county line between the counties of Russell and Lee;

Which bill was read the third time and lost—two-thirds of the house not voting for its passage—yeas 45, nays 31.

Those who voted yea are—

Messrs. Andrews, Barron, Billups, Brown, Chambers, Clements, Davis, Dillon, Edwards, Espy, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Shepard, Stallworth, Stevens, St. John, Straughn, Stribling, Townsend, Wharton, Wilson, Wood of Talladega, and Woolf—45.

Those who voted nay are—

Messrs. Allen, Aldridge, Baldwin, Barrett, Beirne, Bennett, Betts, Blevins, Bonner, Boyd, Brewer, Carson, Cook, Cockrell, Crews, Dickson, Fagan, Farriss, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Lewis, Locke, Martin, Matthews, Reese, Reid, Smith of Franklin, Troup, Witherspoon and Wynne—31.

Mr. Grant made the following

REPORT.

Mr. Speaker :

The committee on public printing, to which was referred the resolution in relation to printing the documents accompanying the Governor's message, have had the same under consideration and instruct me to report, and order for the use of the house, one thousand copies of the report of the Agricultural & Mechanical College and of the report of the State Geologist.

L. W. GRANT, Chairman.

The report was received and adopted.

Mr. Billups, from the committee on privileges and elections, reported a substitute for the bill—

H. B. 4. To amend section 43 of an act to regulate elections in this State.

The substitute was adopted and the bill was read the third time and passed. Yeas 77, nays 3.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Wood of Talladega, Woolf and Wynne—77.

Those who voted nay are—

Messrs. Cockrell, Mathews and Witherspoon—3.

Mr. Maples, from the committee on temperance, reported favorably to the bill—

H. B. 91. To incorporate the Right Worthy Grand Lodge and the Grand and Subordinate Lodges of Alabama, Independent Order of Good Templars ;

Which bill was read the third time and passed—yeas 63, nays 11.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barron, Bell, Billups, Blevins, Bliss, Bonner, Boyd, Brown, Carson, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Mathews, Mitchell, Nelson, Prowell, Purcell, Rice, Shepard, Smith of Franklin, Stevens, St. John, Stribling, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Woolf—63.

Those who voted nay are—

Messrs. Barnett, Beirne, Betts, Holloway, Huey, Lewis, Price, Reese, Reid, Stallworth and Wynne—11.

On motion of Mr. Edwards, the vote by which the bill passed was reconsidered and the bill was recommitted.

On motion of Mr. Matthews, the house adjourned until tomorrow morning, 11 o'clock.

SIXTEENTH DAY.

SATURDAY, January 15, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson, of the house.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bierne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Rosseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—87.

The journal of yesterday was read and approved.

On motion of Mr. Betts, the vote referring the bill—

H. B. 169. To appropriate the sum of fifty dollars to E. H. Gordy, probate judge of Washington, &c.,

To the committee on accounts and claims, was reconsidered, and the bill was referred to the committee on fees and salaries.

BILLS ON SECOND READING.

The bills—

H. B. 176. To authorize the probate judges in the several counties in this State to order elections in certain cases, relative to the abolition of fences.

H. B. 187. To amend section 1283 of the Revised Code;

Were severally read the second time and referred to the committee on agriculture and commerce.

The bill—

H. B. 177. To change the boundary line between the counties of Chilton and Bibb;

Was read the second time and referred to the committee on counties and county boundaries.

The bills—

H. B. 178. To prohibit judges of the circuit court from holding special terms, and to repeal the act of 3rd February, 1875;

H. B. 179. To amend section 4225 of the Revised Code;

H. B. 180. To authorize appeals to the supreme court on all judgments or decrees, granting or overruling motions for new trial at law or rehearing in chancery;

H. B. 181. To amend section two of an act to repeal an act entitled an act to establish a city court for the county of Lee, with criminal and civil jurisdiction;

H. B. 182. To amend section 3932 of the Revised Code;

H. B. 183. To repeal an act to provide for the administration of the criminal laws by suspension of solicitors, and the appointment of solicitors *pro tempore*, when necessary;

H. B. 185. To amend section 4064 of the Revised Code;

H. B. 189. To amend section 3932 of the Revised Code;

And the senate bill—

S. B. 35. To repeal an act to amend section 3470 of the Revised Code of Alabama, approved December 8, 1873;

Were severally read the second time and referred to the committee on judiciary.

The bill—

H. B. 191. To amend section 3691 of the Revised Code;

Was read the second time.

Mr. Mathews moved to amend as follows: "Provided, The employer shall not be allowed to discharge any laborer or servant, without good and sufficient reasons therefor, before the expiration of the time for which said laborer or servant was employed; Provided further, That if any employer shall discharge any laborer or servant without good and sufficient reasons therefor, before the expiration of the time said laborer or servant was employed, then the provisions of this act shall equally apply to said employer."

The bill, with the amendment, was referred to the committee on the judiciary.

The bill—

H. B. 184. To regulate the sale of spirituous liquors in Alabama ;

Was read the second time.

Mr. Blevins moved to lay the bill on the table ;

Lost.

And the bill was referred to the committee on temperance.

The bill—

H. B. 188. To require the several counties in this State to make adequate provision for the maintenance of the poor as provided for in section 49 of article 4 of the constitution ;

Was read the second time and referred to the special committee on the constitution.

The bill—

H. B. 186. To incorporate the Gulf Mining Company ;

And the senate bill—

S. B. 58. To regulate the individual liability of stockholders in private corporations ;

Were severally read the second time and referred to the committee on corporations.

The bill—

H. B. 190. To authorize the publication of legal advertisements in Sunday newspapers ;

Was read the second time and referred to the committee on public printing.

The senate bill—

S. B. 59. Prescribing how private corporations may increase their capital stock or bonded indebtedness ;

Was read the second time.

Mr. Grant moved to amend by striking out of the eighth line, section three, the words, "in the city of Montgomery," and insert instead, "in the county nearest the principal office of such corporation."

The bill, with the amendment, was referred to the committee on corporations.

The house concurred in the amendment of the senate to the bill—

H. B. 2. To repeal section 39 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875 ;

Yeas 80, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Blevins, Bliss, Bonner, Boyd, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin,

Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gulledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rousseau, Shepard, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—80.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced:

By Mr. Bonner—

H. B. 192. To amend section 2339 of the Revised Code.

By Mr. Reese—

H. B. 193. To amend section 29 of an act to regulate elections in the State of Alabama.

By Mr. Greene of Jefferson—

H. B. 194. To amend section 3250 of the Revised Code.

Also,

H. B. 195. To repeal section 913 of the Revised Code.

By Mr. Price—

H. B. 196. To provide for incorporating temperance and other societies, associations and orders.

By Mr. Chambers—

H. B. 197. To incorporate the Alabama Fertilizer Company.

By Mr. Wood of Talladega—

H. B. 198. To provide for the return of the books furnished by the State to the several county solicitors thereof.

By Mr. St. John—

H. B. 199. To regulate the publication of legal notices in the county of Marshall.

By Mr. Stallworth—

H. B. 200. Requiring the Secretary of State to furnish judicial officers of this State duplicate copies of Supreme Court Reports, where the same have been or may be destroyed by fire, without fault on their part or on the part of their predecessors in office;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Aldridge offered the following resolution, which was adopted:

Resolved, That the committee on privileges and elections be instructed to enquire into the propriety of so amending the

election laws as to fix stringent and adequate penalties on county officers, to whom election returns are to be made, for opening or in any way interfering with said returns, or allowing any other person to do so, on or previous to the day fixed by law for opening returns, counting the votes, and declaring the election, or for altering or amending said returns, when counting the vote, and that said committee report as soon as may be by bill or otherwise.

Mr. Leslie offered the following resolution, which was adopted:

Resolved, That two hundred copies of the report of the President of the Agricultural and Mechanical College be reserved for the use of the president of the college.

REPORTS FROM COMMITTEES.

Mr. Barnett, from the committee on ways and means, reported favorably to the bill—

H. B. 166. To provide for and secure the collection of so much of the taxes of the year 1875, as shall remain uncollected at the time of the approval of this act by the tax collector of each county, who was elected at the general election held in such county on the Tuesday after the first Monday in November, 1874;

Which bill was read the third time and passed, yeas 75, nays 2.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Billups, Blevins, Bliss, Bonner, Boyd, Baker, Brown, Carson, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Gullledge, Hamilton, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—74.

Those who voted nay are—

Messrs. Bennett, and Harris of Dallas—2.

Mr. Beirne, from the committee on the judiciary, reported favorably to the bill—

H. B. 58. To authorize the publication of the lands of a general character, passed at the present session ;

Mr. Mathews moved to amend by striking out the words "one dollar," in section one, and inserting "fifty cents;" which, on motion of Mr. Price, was laid on the table—yeas 58, nays 15.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Forsyth, Gibson, Grant, Gullett, Hamilton, Harris of Perry, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, Stribling, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—58.

Those who voted nay are—

Messrs. Allen, Baldwin, Blevins, Boyd, Cook, Franklin, Harris of Dallas, Lee, Lewis, Locke, Mathews, Reese, Reid, Witherspoon and Wynne—15.

And the bill was read the third time and passed—yeas 53, nays 26.

Those who voted yea are—

Messrs. Allen, Andrews, Barnett, Barron, Beirne, Bell, Betts, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Forsyth, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullett, Harris of Dallas, Heaton, Higgins, Huey, Jones of Russell, Kimmey, Kirkland, Leslie, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, Townsend, Troup, Wharton, Wood of Talladega, and Woolf—53.

Those who voted nay are—

Messrs. Aldridge, Baldwin, Baldwin, Bennett, Billups, Blevins, Bliss, Boyd, Cockrell, Franklin, Hamilton, Harris of Perry, Heaton, Holloway, Jenkins, Lee, Lewis, Locke, Maples, Reese, Reid, Sims, St. John, Stribling, Wilson, Witherspoon and Wynne—26.

Also, from same committee, reported favorably to the bill—

H. B. 93. To provide for the renting of lands belonging to the estates of minors and deceased persons, and for the securing of such rent ;

Which bill was read the third time and passed—yeas 77, nays 1.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—77.

Mr. Mathews voted nay.

Also, favorably to the bill—

H. B. 116. To amend section 3570 of the Revised Code;

Which bill was read the third time and passed—yeas 82, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—82.

Also, favorably to the bill—

H. B. 117. To require circuit judges more promptly to dispose of all business in the circuit courts;

On motion of Mr. Woolf, the further consideration of the bill was postponed, and made the special order for Tuesday next, 1 p. m.

Also, from same committee, favorably to the bill—

H. B. 128. To provide for the revision, digesting, and pro-

mulgation of the public statutes of this State, of a general nature.

Mr. Brown moved to amend by striking out the words "one or more," where they occur in fifth line, section one, and inserting in lieu thereof, the word "three."

Mr. Aldridge moved, as an amendment to the amendment, insert after the words "one or more," the words "but not to exceed three." Adopted.

And the amendment as amended was adopted, and the bill was read the third time and passed—yeas 76, nays 0.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullede, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Reese, Reid, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wilson, Wood of Talladega, Woolf and Wynne—76.

Also, favorably to the bill—

H. B. 129. To constitute one chancery district of the counties of Calhoun and Cleburne ;

On motion of Mr. Grant the bill was recommitted.

Also, favorably to the senate bill—

S. B. 31. To prescribe the counties in which suits may be instituted upon the official bonds of State officers, or of any person or persons who have been State officers ;

Which bill was read the third time and passed—yeas 78, nays 0.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Clements, Cook, Coon, Cockrell, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullede, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lee, Leslie, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Rousseau, Shepard, Sims, Smith of Bul-

lock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, Woolf and Wynne—78.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 15, 1876.

Mr. Speaker :

The senate concurs in the house joint resolution raising a joint committee of three from the house and two from the senate, to inquire into and report by bill, or otherwise, how much money is necessary, and ought to be appropriated for the purpose of securing a proper representation of the State in the centennial celebration at Philadelphia, on the 4th of July next.

Committee on the part of the senate—Messrs. McClellan and Hamilton.

The senate has originated and passed the following bills:
S. B. 4. To execute the power of disposal of lands granted by an act of Congress, entitled "an act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain rail roads in said State," approved June 3, 1856, which power of disposal is conferred upon the legislature of Alabama by said act of Congress;

S. B. 87. To prescribe the time for holding chancery courts in the several counties composing the middle chancery division;

S. B. 79. To regulate the public schools in the county of Mobile;

S. B. 118. To authorize the Governor to issue patents to 16th section lands, heretofore sold by the trustees of the different townships in this State;

S. B. 47. To amend section 430 of the Revised Code.

Respectfully,

S. B. BREWER,
Secretary.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported as correctly enrolled the bill—

H. B. 2. To amend section 39 of an act entitled an act to

establish revenue laws for the State of Alabama, approved March 19, 1875.

And the speaker, in the presence of the house, and immediately after the title had been publicly read, signed said bill.

Leave of absence was granted Mr. Ross for three days, Mr. Harris of Chambers, two days; also Mr. Wood of Marengo, for five days, on account of injuries received.

On motion of Mr. Blevins, the house adjourned until Monday morning, 11 o'clock.

SEVENTEENTH DAY.

MONDAY, January 17, 1876.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Nelson of the house.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—87.

The journal of Saturday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Barnett four days on account of sickness in his family, Mr. Townsend five days on account of urgent business, Mr. Billups for to-day on account of sickness, and also to Mr. Allen four days.

The speaker, in the presence of the house, and immediate-

ly after the title had been publicly read, signed the senate bill—

s. B. 15. To amend section 761 of the Revised Code.

BILLS ON SECOND READING.

The bills—

H. B. 192. To amend section 2339 of the Revised Code.

H. B. 194. To amend section 3250 of the Revised Code.

H. B. 198. To provide for the return of the books furnished by the State to the several county solicitors thereof.

H. B. 200. Requiring the Secretary of State to furnish judicial officers of this State duplicate copies of supreme court reports, when the same have been or may be destroyed by fire without fault on their part or on the part of their predecessors in office;

Were severally read the second time and referred to the committee on the judiciary.

The bill—

H. B. 196. To provide for incorporating temperance and other societies, associations and orders;

Was read the second time and referred to the committee on temperance.

The bill—

H. B. 197. To incorporate the Alabama Fertilizer Company;

Was read the second time and referred to the committee on corporations.

The bill—

H. B. 193. To amend section 29 of an act to regulate elections in the State of Alabama;

Was read the second time and referred to the committee on privileges and elections.

The bill—

H. B. 199. To regulate the publication of legal notices in the county of Marshall;

Was read the second time and referred to the committee on local legislation.

The bill—

H. B. 195. To repeal section 913 of the Revised Code;

Was read the second time and referred to the special joint committee on revenue.

SENATE BILLS ON FIRST READING.

The senate bill—

s. B. 4. To execute the power of disposal of lands granted

by an act of congress, entitled an act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State, approved June 3, 1856, which power of disposal is conferred upon the legislature of Alabama by said act of congress ;

Was read once, and on motion of Mr. Price, laid on the table, and 150 copies ordered printed for the use of the house.

The senate bills—

S. B. 87. To prescribe the time for holding chancery courts in the several counties composing the middle chancery division.

S. B. 79. To regulate the public schools in the county of Mobile.

S. B. 118. To authorize the Governor to issue patents to sixteenth section lands, heretofore sold by the trustees of the different townships in this State.

S. B. 47. To amend section 430 of the Revised Code ;

Were severally read once and ordered to a second reading on to-morrow.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced—

By Mr. Barron (with statement)—

H. B. 201. To pay J. R. Wing for labor performed in the hall of the house of representatives.

By Mr. Herman—

H. B. 202. To amend sections 3952 and 3953 of the Revised Code.

Also—

H. B. 203. To repeal an act prescribing the terms on which married women may take appeals.

Also—

H. B. 204. To better secure the collection of rent by landlords.

By Mr. Betts—

H. B. 205. To protect parties occupying or cultivating lands under a common fence from trespasses of stock.

Also—

H. B. 206. To require depositions to be taken in certain cases.

Also—

H. B. 207. For the relief of small tax payers.

Also—

H. B. 208. To prevent fraud under contracts for labor or rent.

Also—

H. B. 209. To regulate the imposition of license tax by municipal corporations.

By Mr. Powell—

H. B. 210. To amend section 3724 of the Revised Code.

By Mr. Woolf—

H. B. 211. To establish and regulate an additional term of the chancery court for the third district (composed of Marengo county) of the western chancery division of Alabama.

Also—

H. B. 212. To provide for the removal of certain causes from the chancery to the circuit courts, and to regulate the trial thereof.

By Mr. Hamilton—

H. B. 213. To confer upon the several probate courts in this State power to declare married women free dealers.

By Mr. Price—

H. B. 214. To amend section 3522 of the Revised Code.

Also,

H. B. 215. To amend sections 4363, 4368 and 4369, of the Revised Code, and otherwise regulate coroners' inquests;

By Mr. Mitchell—

H. B. 216. To regulate the system of penal labor in the several counties of Alabama;

Also,

H. B. 217. In relation to the convicts of the State;

By Mr. Jones of Russell—

H. B. 218. To authorize and require tax collectors in this State to receive State obligations in payment of taxes, in all cases, when demanded by the tax payers;

By Mr. Sims—

H. B. 219. For the relief of families whose heads have been convicted of vagrancy under section 3630 of the Revised Code;

By Mr. Barron—

H. B. 220. To regulate the publication of legal notices in this State;

Which was read once and ordered to a second reading on to-morrow.

Mr. Grant presented a petition from Chocologee Grange, Calhoun county, in favor of the passage of a law taxing dogs;

Which was referred to the committee on agriculture and commerce.

Mr. Reese offered the following resolution, which was adopted:

Resolved, That the Superintendent of Education be and he is hereby instructed to furnish to the house of representatives one hundred copies of the acts of the board of education, passed at its last session, for the use of the members of the house; Provided, the same are printed and in his possession.

Mr. Woolf offered the following resolution, which was adopted:

Resolved, That the joint revenue committee be authorized to have printed, for the use of the general assembly, one hundred and fifty copies of the proposed revenue bill, before its introduction in the house.

Mr. Mitchell offered the following joint resolution, which was adopted:

Resolved by the house (the senate concurring), That the joint committee appointed to visit the penitentiary be instructed to ascertain in what manner the said penitentiary can be connected by railroad with the South and North railroad track, at or near Elmore station, so the State will not be required to make any appropriation for the same.

Mr. Hamilton offered the following resolution, which was adopted:

Resolved, That the judiciary committee be required to report, by bill or otherwise, what legislation is necessary to define what it takes to constitute a waiver, under article 14, section 7, of the constitution.

Mr. Rice offered the following joint resolution, which was adopted:

Resolved by the house of representatives (the senate concurring), That the present session of the general assembly may continue until the fourth day of November, 1876, or adjourn sooner, at its pleasure.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
January 17, 1876.

Mr. Speaker:

The Governor has approved the following bill, which originated in the house:

H. B. 2. To amend section 39 of an act entitled an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

Respectfully,

L. R. DAVIS,
Private Sec'y.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 17, 1876.

Mr. Speaker :

The senate has amended and passed the following house bill :

H. B. 5. To amend section 3279 of the Revised Code.

And has originated and passed the following bills :

s. B. 56. To amend section 3463 of the Revised Code.

s. B. 71. To amend section 421 of the Revised Code.

s. B. 129. For the appointment and compensation of special chancellors in certain cases.

The senate has also adopted the

s. B. 136. Memorial of the general assembly of Alabama to the United States Senate, asking that the seat held by George E. Spencer, as U. S. Senator from Alabama, be declared vacant.

Respectfully,

S. B. BREWER,
Secretary.

REPORT FROM COMMITTEES.

Mr. Greene of Lee, from the committee on fees and salaries, reported favorably to the senate bill—

s. B. 10. To amend section 68 of the Revised Code.

Which bill was read the third time and passed—yeas 80.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Beirne, Bennett, Betts, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Coon, Crews, Davis Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Jefferson, Greene, of Lee, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of

Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Matthews, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—80.

Also, favorably to the senate bill—

s. B. 11. To amend section 718 of the Revised Code.

Which bill was read the third time and passed—yeas 81, nays none.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barron, Beirne, Bell, Bennett, Betts, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—81.

Also, reported favorably to the senate bill—

s. B. 12. To amend section 76 of the Revised Code.

Which bill was read the third time and passed—yeas 81, nays 1.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barron, Beirne, Bell, Bennett, Betts, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—81.

Mr. Cockrell voted nay.

Also, favorably to the senate bill—

S. B. 13. To amend section 104 of the Revised Code.

Which bill was read the third time and passed—yeas 80.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Beirne, Bell, Bennett, Betts, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—80.

Also, favorably to the senate bill—

S. B. 14. To amend section 669 of the Revised Code;

Which was read the third time and passed—yeas 77, nays 0.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—77.

Mr. Grant, from the committee on public printing, reported favorably to the bill—

H. B. 190. To authorize the publication of legal advertisements in Sunday newspapers.

Mr. Wilson moved to lay the bill on the table;

Lost.

And the bill was read the third time and passed—yeas 64, nays 16.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barron, Beirne, Bell,

Betts, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Coon, Crews, Davis, Dillon, Espy, Fielder, Forsyth, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Dallas, Harris of Perry, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Shepard, Sims, Stallworth, Stevens, St. John, Straughn, Tate, Wharton, Witherspoon, Wood of Talladega, and Woolf—64.

Those who voted nay are—

Messrs. Aldridge, Bennett, Cook, Cockrell, Dickson, Fagan, Farriss, Franklin, Gilmer of Montgomery, Hamilton, Lewis, Nelson, Reid, Smith of Franklin, Troup and Wilson—16.

Mr. Herman, from the committee on appropriations, reported a bill—

H. B. 221. For the relief of Lewis Cardinal;

Which was read once and ordered to a second reading on to-morrow.

On motion, the house adjourned until to-morrow morning 11 o'clock.

EIGHTEENTH DAY.

TUESDAY, January 18, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson, of the house.

On the call of the roll the following members answered to their names:

Mesrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Straughn,

Stribling, Tate, Troup, Wharton, Wood of Talladega, Woolf and Wynne—86.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Harris of Dallas, on account of sickness in his family, until Monday; Mr. Bozeman for five days, and Mr. McDuffie on account of sickness. Also, Mr. Franklin for five days on account of burning of his house, which necessitated his presence at home.

The Speaker, in the presence of the house, and immediately after the title had been publicly read, signed the senate bill—

S. B. 31. To prescribe the counties in which suits may be instituted upon the official bonds of State officers, or of any person or persons who have been State officers.

Mr. Greene of Lee, offered the following joint resolution :

Resolved by the house of representatives, (the senate concurring,) That it is the sense of the general assembly that the present session should not continue for a longer period than sixty days from its commencement.

Resolved further, That the present session may continue for sixty days or adjourn at its pleasure.

Mr. Chambers offered, by way of amendment, the following substitute :

WHEREAS, Some doubt is entertained as to the constitutional duration of the present session of the general assembly ; therefore, be it

Resolved by the house, (the senate concurring,) That the present session be and is hereby extended beyond the period of thirty days.

The substitute was adopted.

Mr. Betts moved to amend by striking out the preamble and all after the word "concurring," and insert the following: "That the present session of the general assembly is limited neither by the terms of the old nor new constitution."

On motion of Mr. Lewis, the amendment was laid on the table—yeas 65, nays 18.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barron, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Brantley, Brown, Carson, Chambers, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Fielder, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Jefferson,

Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mitchell, Nelson, Price, Reese, Reid, Ross, Rousseau, Shepard, Smith of Franklin, St. John, Stribling, Tate, Wharton, Wilson, Witherspoon, Wood of Talladega, and Wynne—65.

Those who voted nay are—

Messrs. Aldridge, Beirne, Betts, Cashin, Cockrell, Dickson, Fagan, Farriss, Grant, Mathews, Prowell, Purcell, Rice, Sims, Smith of Bullock, Stevens, Troup, and Woolf—18.

Mr. Price moved to amend by adding the following:

Resolved further, That it is the sense of the general assembly that the present session should not extend for a longer time than sixty days.

Which, on motion of Mr. Rice, was laid on the table.

On motion of Mr. Betts, the preamble was stricken out, and the resolution, as amended, was adopted—yeas 64, nays 17.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Bell, Betts, Billups, Bliss, Bonner, Bozeman, Brewer, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lewis, Locke, Maples, Martin, Mitchell, Nelson, Price, Prowell, Purcell, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Woolf—64.

Those who voted nay are—

Messrs. Beirne, Blevins, Boyd, Brantley, Carson, Cashin, Cook, Coon, Cockrell, Fagan, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Lee, Reese, Rice and Smith of Bullock—17.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

January 18th, 1876.

Mr. Speaker :

The senate has originated and passed the following bills :

S. B. 119. To amend section 109 of the Revised Code.

S. B. 82. For the payment of P. Phillips for professional

services rendered in this State in the supreme court of the United States.

S. B. 27. To amend section 12 of an act to establish a new charter for the town of Union Springs, Bullock county, Alabama, approved March 1, 1870.

S. B. 116. To require county treasurers to cancel claims against the general, or fine and forfeiture fund of any county, which are paid into county treasuries.

Respectfully,

S. B. BREWER,
Secretary.

BILLS ON SECOND READING.

The bill—

H. B. 201. To pay J. R. Wing for labor performed in the hall of the house of representatives ;

Was read the second time and referred to the committee on the judiciary, with instructions to inquire and report whether said bill comes under the constitutional prohibition as found in section 30, article 4, of the present constitution.

The bill—

H. B. 216. To regulate the system of penal labor in the several counties of Alabama ;

Was read the second time.

Mr. Crews moved to amend as follows :

At the end of third line of section 9, add, " after giving such superintendent at least five days notice of the cause of complaint against him, and giving him an opportunity to explain or remove the cause."

The amendment was adopted.

Mr. Espy offered the following amendments :

In 9th line of section 2, strike out the words " legal tender currency " and insert in lieu thereof the words " State obligations."

In 16th line of section 4, after the word " physician," add the words " or at the will of the superintendent."

In 3d line of section 6, between the words " circuit " and " of " insert the words " or county."

In 4th line of section 12, after the word " within " strike out the word " five " and insert in lieu thereof the word " ten."

The bill, with the amendments, offered was referred to the committee on the judiciary.

The bills—

H. B. 202. To amend sections 3952 and 3953 of the Revised Code.

H. B. 203. To repeal an act prescribing the terms on which married women may take appeals.

H. B. 204. To better secure the collection of rent by landlords.

H. B. 205. To protect parties occupying or cultivating land under a common fence from trespass of stock.

H. B. 206. To require depositions to be taken in certain cases.

H. B. 208. To prevent fraud under contracts for labor or rent.

H. B. 210. To amend section 3724 of the Revised Code.

H. B. 211. To establish and regulate an additional term of the chancery court for the third district (composed of Marengo county) of the western chancery division of Alabama.

H. B. 212. To provide for the removal of certain causes from the chancery to the circuit courts, and to regulate the trial thereof.

H. B. 213. To confer upon the several probate courts of this State power to declare married women free dealers.

H. B. 214. To amend section 3522 of the Revised Code.

H. B. 215. To amend sections 4363, 4368 and 4369 of the Revised Code and otherwise regulate coroners inquests.

H. B. 217. In relation to convicts of the State.

H. B. 219. For the relief of families whose heads have been convicted of vagrancy under section 3630 of the Revised Code.

H. B. 220. To regulate the publication of legal notices in this State.

H. B. 221. For the relief of Louis Cardinal ;

Were severally read the second time and referred to the committee on the judiciary.

The bills—

H. B. 218. To authorize and require tax collectors in this State to receive State obligations in payment of taxes in all cases when demanded by the tax payers.

H. B. 209. To regulate the imposition of license tax by municipal corporations ;

Were severally read the second time and referred to the special joint committee on revenue.

The bill—

H. B. 207. For the relief of small tax payers ;

Was read the second time and referred to the committee on ways and means.

On motion of Mr. Chambers, the senate bill—

S. B. 4. To execute the power of lands granted by an act of congress, entitled an act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State, approved June 3d, 1856, which power of disposal is conferred upon the legislature of Alabama by said act of congress;

Was taken from the table and read the second time.

Mr. Fielder moved to amend by adding the following :

Provided, That the South and North Alabama railroad company shall make a bond to the present mayor of the city of Wetumpka, and his successors, in the sum of one hundred thousand dollars, with a lien upon the South and North railroad that said company will build or cause to be built, within two years from the passage of this act, a branch railroad from Elmore Station, on said road, to any point they may select, within the incorporated limits of the city of Wetumpka, Elmore county.

The bill, with the amendment, was referred to the committee on the judiciary.

REPORTS FROM COMMITTEES.

Mr. Stallworth, from the committee on corporations, reported favorably to the senate bill—

S. B. 58. To regulate the individual liability of stockholders in private corporations.

Which bill was read the third time and passed—yeas 65, nays 9.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barron, Beirne, Betts, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Crews, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Gibson, Gilmer of Lawrence, Grant, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Lee, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Troup, Wharton, Wilson, Wood of Talladega, Woolf and Wynne—65.

Those who voted nay are—

Messrs. Aldridge, Bell, Barnett, Billups, Blevins, Brantley, Cockrell, Lewis and Locke—9.

Also, from the same committee, reported favorably (with

amendment offered by Mr. Grant, and referred with the bill,) to the bill—

S. B. 59. Prescribing how private corporations may increase their capital stock, or bonded indebtedness.

The amendment was adopted, and the bill read the third time and passed—yeas 75, nays none.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Carson, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Troup, Wharton, Witherspoon, Wood of Talladega, Woolf and Wynne—75.

Also, favorably to the bill—

H. B. 197. To incorporate the Alabama Fertilizer Company.

Which bill was read the third time and passed—yeas 73, nays none.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Carson, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Lee, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—73.

Also, favorably to the bill—

H. B. 142. To incorporate the Marengo Manufacturing Company.

Which bill was read the third time and passed—yeas 70, nays none.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron,

Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Brown, Carson, Cashin, Chambers, Clements, Coon, Cockrell, Crews, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Lee, Lewis, Locke, Maples, Martin, Matthews, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—70.

Also favorably to the bill—

H. B. 70. To incorporate Doran's Cove High School, in Jackson county.

Which bill was read the third time and passed—yeas 70, nays none.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Lee, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Troup, Wharton, Wilson, Witherspoon, Woolf and Wynne—70.

On motion of Mr. Stallworth, the house adjourned until tomorrow morning, 10 o'clock.

NINETEENTH DAY.

WEDNESDAY, January 19, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Petrie.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Bierne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner,

Boyd, Bozeman, Brewer, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rosseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—80.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Stallworth for five days, on account of sickness in his family, and Mr. Baker for two days, on account of sickness.

SENATE BILLS ON SECOND READING.

The senate bill—

s. B. 118. To authorize the Governor to issue patents to sixteenth section lands, heretofore sold by the trustees of the different townships in this State;

Was read the second time and referred to the committee on the judiciary.

The senate bill—

s. B. 87. To prescribe the time for holding chancery courts in the several counties composing the middle chancery division;

Was read the second time and referred to the committee on local legislation.

The senate bill—

s. B. 47. To amend section 430 of the Revised Code;

Was read the second time and referred to the committee on finance.

SENATE BILLS ON FIRST READING.

The senate bills—

s. B. 82. For the payment of P. Phillips for professional services rendered to the State, in the supreme court of the United States;

- s. B. 119. To amend section 109 of the Revised Code;
- s. B. 56. To amend section 3463 of the Revised Code;
- s. B. 71. To amend section 421 of the Revised Code;
- s. B. 129. For the appointment and compensation of special chancellors in certain cases;

s. B. 27. To amend section twelve of an act to establish a new charter for the town of Union Springs, Bullock county, Alabama, approved March 1, 1870;

s. B. 116. To require county treasurers to cancel claims against the general, or fine and forfeiture fund of any county, which are paid into county treasuries;

Were severally read once and ordered to a second reading on to-morrow.

The house concurred in the senate amendment to the bill—

H. B. 5. To amend section 3279 of the Revised Code;

Yeas 77, nays 0.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Brantley, Brown, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stevens, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—77.

On motion of Mr. Grant, it was ordered that all petitions in regard to the bill to establish the city court of Selma, be referred to the judiciary committee.

THE SPENCER MEMORIAL.

The house next proceeded to the consideration of

s. B. 136. Joint memorial of the general assembly of Alabama to the U. S. senate, asking that the seat held by Geo. E. Spencer, as a U. S. senator from Alabama, be declared vacant.

Mr. Price, in connection therewith, offered the following resolution, which was adopted:

Whereas, the printed report, evidence and memorial of the Spencer investigation committee contains certain errors, and among others the word "not," by mistake, is printed in the

last line of Mr. Stribling's evidence, as appears on page 170 of said printed evidence, therefore, be it

Resolved, That said word be considered as stricken out, and the printer is hereby required to make a printed note of same, and all other errors corrected, or amendments made, either by the senate or the house during the consideration of said report, memorial and evidence, and to attach said note of errors and amendments to the undistributed copies of said printed report.

On motion of Mr. Price, the further consideration of the joint memorial was postponed, and made the special order for Friday next, 12 m.

SIGNING BILL BY THE SPEAKER.

The house next proceeded to the consideration of the senate—

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the following senate bills:

- S. B. 10. To amend section 68 of the Revised Code;
- S. B. 11. To amend section 718 of the Revised Code;
- S. B. 12. To amend section 76 of the Revised Code;
- S. B. 13. To amend section 104 of the Revised Code;
- S. B. 14. To amend section 669 of the Revised Code.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced:

By Mr. Barron, (with petition and evidence of publication of notice, &c.)

H. B. 222. To provide for levying and collecting a special tax for the county of Clay.

By Mr. Espy—

H. B. 223. To amend section 3614 of the Revised Code.

By Mr. Gullett—

H. B. 224. To amend the first section of an act to incorporate the town of Rockford, in the county of Coosa, approved 20th March, 1875.

By Mr. Crews—

H. B. 225. To amend section 49 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Higgins—

H. B. 226. To revise and amend an act to keep in each

county of the State a proportionate share of the public school money, approved April 19, 1873.

By Mr. Betts—

H. B. 227. To amend an act to declare a lien in favor of laborers, mechanics and employees, and to provide for the enforcement thereof;

Also,

H. B. 228. To place entrees made by deceased executors, administrators, guardians and trustees, prior to the passage of the act of 14th February, 1867, upon the same ground as to competency, as such entries made subsequent to that date;

Also,

H. B. 229. To provide for the funding of all outstanding State obligations.

By Mr. Brewer (with petition and evidence of publication of notice, &c.,)—

H. B. 230. To prohibit the sale or giving away of spirituous liquors within three miles of the Baptist and Presbyterian churches, at Pleasant Hill, Dallas county.

By Mr. Billups—

H. B. 231. To provide for the fees of circuit clerks, in certain cases therein mentioned;

Also,

H. B. 232. To constitute the circuit clerks, clerks *ex officio* of the county courts of this State.

By Mr. Huey—

H. B. 233. To amend section 2718 of the Revised Code.

By Mr. Anderson—

H. B. 234. To regulate the collection and disbursement of the fines and forfeitures in the State of Alabama;

Which bills were severally read once, and ordered to a second reading on to-morrow.

By Mr. Betts—

H. B. 235. To carry into effect the intention of the Congress of the United States, in its donation of a certain quantity of lands to the legislature of Alabama, by the act of March 2, 1819, to be by said legislature held and administered, for the use of a seminary of learning in said State;

Which bill was read once and ordered to a second reading on to-morrow and 100 copies ordered printed.

By Mr. Price—

H. B. 236. To establish and regulate liens of mechanics and other persons;

Which was read once, and on motion of Mr. Price, laid on the table, and 150 copies ordered printed.

By Mr. Holloway—

H. B. 237. To establish and organize an inferior court of record in each county, with civil and criminal jurisdiction, and to abolish the county courts;

Which was read once, and, on motion of Mr. Holloway, laid on the table and 150 copies ordered printed.

Mr. Mitchell offered the following joint resolution:

Resolved by the House, the Senate concurring, That the joint committee of the senate and house, appointed to visit the penitentiary, be also instructed to visit the New Castle Coal Mines in this State that has convicts employed from the penitentiary, provided that transportation be furnished said committee.

On motion of Mr. Rice, the resolution was laid on the table.

MESSAGES FROM THE SENATE.

SENATE CHAMBER,
January 19, 1876.

Mr. Speaker:

The senate has passed house bill—

H. B. 166. To provide for and secure the collection of so much of the taxes of the year 1875 as shall remain uncollected at the time of the approval of this act, by the tax collector of each county who was elected at the general election held in each county on the Tuesday after the 1st Monday in November, 1874;

And has ordered the same to be forthwith returned to the house.

S. B. BREWER,
Secretary.

SENATE CHAMBER, January 19, 1876.

Mr. Speaker:

The senate has originated and passed the following bills:

S. B. 73. To prohibit the sale of lottery or gift enterprise tickets in this State.

S. B. 98. To authorize the Governor to refund money received by the State for commissions to persons appointed to take the census for the State in 1875.

S. B. 1. To provide for the recording of certain papers by clerks of the circuit courts, registers in chancery and judges of probate.

S. B. 117. To provide for the punishment of persons who shall post up, or leave any obscene picture, placard, writing,

or printed matter, about or near to any church, dwelling, academy, or a public highway.

s. B. 5. To define and regulate the practice and proceedings in mandamus cases.

s. R. 97. To restrict the powers of taxation within the incorporated towns, cities, or other municipal incorporations in this State.

s. B. 147. To carry into effect section 47 of article 4 of the constitution of Alabama.

s. B. 148. To pay Jos. Baumer for articles furnished the senate chamber.

s. B. 77. For the relief of tax collectors of the State of Alabama.

S. B. BREWER,
Sec'y of Senate.

REPORTS FROM COMMITTEES.

Mr. Fielder, from the committee on the penitentiary, reported adversely to the senate bill—

s. B. 60. To authorize the warden of the penitentiary to sue in all cases for dues to the penitentiary either in the county of Elmore or of the residence of any defendant, as he may deem best.

The house refused to concur in the report.

Mr. Woolf moved to amend the bill by adding the following to section one: "Provided, That such suits, where the same are brought out of the county of Elmore, shall only be on contracts hereafter made."

The amendment was adopted.

On motion of Mr. Price, the further consideration of the bill was postponed in order to take up the

s. B. 136. Joint memorial of the General Assembly to the United States senate, asking that the seat held by George E. Spencer as a United States senator from Alabama, be declared vacant.

The order making the memorial the special order for Friday next, 12 m., was reconsidered.

Mr. Wood, of Talladega, moved to amend the memorial by adding thereto the following:

Whilst the foregoing expresses the views of a majority of each house of the General Assembly, it is deemed fair to add, that a minority in each house entertain the opinion, that the Senate of the United States possesses exclusive jurisdiction of the question of the right of said George E. Spencer to re-

tain the seat he now holds in that body, and that, therefore, the General Assembly of Alabama may well withhold the expression of any opinion upon any evidence which bears upon the question of that right. This minority are in full accord with the majority in earnestly requesting the Senate of the United States, in the exercise of its exclusive jurisdiction, to make full inquiry touching the aforesaid question of right, and to pronounce the proper judgment thereon.

On motion of Mr. Price, the amendment was laid on the table—yeas 59, nays 23.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Billups, Blevins, Bonner, Brewer, Brantley, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson and Woolf—59.

Those who voted nay are—

Messrs. Baldwin, Bennett, Bliss, Boyd, Cashin, Cook, Coon, Cockrell, Gilmer of Montgomery, Harris of Perry, Lee, Lewis, Locke, Martin, Mathews, McDuffie, Reese, Reid, Sims, Smith of Bullock, Witherspoon, Wood of Talladega, and Wynne—23.

Mr. Betts called for the previous question;

And the question being, shall the main question be now put? it was decided in the affirmative.

APPEAL FROM DECISION OF CHAIR.

A question having been made by several members, whether the demand for the previous question had been sustained by a vote of two-thirds of the members present, the speaker said that as the vote had not been taken by the yeas and nays, he could not determine any farther than that the call had been sustained by a majority; but now, for the purpose of satisfying the chair and the house, he would put the question again, and test the division by a rising vote.

Mr. Smith of Bullock, rose to a point of order, that the speaker could not, at this stage of the debate, call for the vote of the house, to ascertain that fact.

The speaker decided that the point was not well taken.

Mr. Smith of Bullock, thereupon appealed from the decis-

ion of the chair, and the vote being taken, the chair was sustained.

The joint memorial was then adopted—yeas 58, nays 20.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson and Woolf—58.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Bliss, Boyd, Brantley, Cockrell, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, McDuffie, Reese, Reid, Smith of Bullock, Witherspoon, Wood of Talladega, and Wynne—20.

Mr. Wood of Talladega, offered the following resolution :

Resolved, That so much of the journal of this house of the date of 19th of January, 1876, as relates to the action of this house on the joint memorial of the general assembly of Alabama, in regard to the alleged election of Geo. E. Spencer as United States senator from Alabama, be copied and attested by the clerk of this house, and that the same be attached to and accompany the said memorial on its transmission to the senate of the United States.

On motion of Mr. Maples, the resolution was laid on the table—yeas 54, nays 24.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Maples, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson and Woolf—54.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Blies, Boyd, Brantley, Cashin, Cook, Cockrell, Gilmer of Montgomery, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, McDuffie, Mitch-

ell, Reese, Reid, Sims, Smith of Bullock, Witherspoon and Wood of Talladega—24.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported as correctly enrolled, the bill:

H. B. 5. To amend section 3270 of the Revised Code.

And the speaker, in the presence of the house, and immediately after the title had been publicly read, signed said bill (H. B. 5.)

On motion, the house adjourned until to-morrow morning, 11 o'clock.

TWENTIETH DAY.

THURSDAY, January 20, 1876.

The house met pursuant to adjournment.

Prayer by the Rev. Dr. Petrie.

On the call of the roll, the following members answered to their names:

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Carson, Cashin, Chambers, Clements, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Rice, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—80.

The journal of yesterday was read and approved.

SIGNING OF BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the senate bills—

S. B. 58. To regulate the individual liability of stockholders in private corporations.

S. B. 59. Prescribing how private corporations may increase their capital stock or bonded indebtedness.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Lewis for four days on account of sickness in his family, and to Mr. Reese for five days for same cause; to Mr. Fagan for three days, and Mr. Stribling for five days on account of sickness, and also to Mr. Fielder for three days on account of urgent business.

Mr. Herman, from special committee, made the following

REPORT :

Mr. Speaker :

The joint special committee on the centennial, to which was referred the joint resolution to inquire into and to report by bill, or otherwise, how much money, if any, is necessary and ought to be appropriated by the general assembly of Alabama for the purpose of securing to the State a proper representation in the centennial celebration, to be held in Philadelphia on the 4th July next, have had the same under consideration, and instruct me to report the accompanying bill, and a report *in extenso*, giving the reasons that influenced the committee in recommending the appropriation of ten thousand dollars as provided in said bill.

S. D. HERMAN,
Chairman.

The bill, reported by the committee, being entitled—

H. B. 238. An act to appropriate a certain sum therein, named, to secure a proper representation of the State at the centennial exhibition at Philadelphia;

Was read once and ordered to a second reading on tomorrow.

Mr. Lewis moved that 1,000 copies of the report of the joint committee on the centennial be printed;

Which was carried.

Mr. Rice moved to reconsider the vote ordering 1,000 copies to be printed.

Mr. Blevins moved to lay the motion on the table;

Lost—yeas 10, nays 68.

Those who voted yea are—

Messrs. Blevins, Bliss, Boyd, Cashin, Cook, Grant, Lewis, Locke, Mathews and Witherspoon—10.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Bell, Bennett, Betts, Billups, Bonner, Brewer, Brantley, Brown, Carson, Chambers, Clements, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Tate, Troup, Wharton Wilson, Wood of Talladega, Woolf and Wynne—68.

On motion of Mr. Barnett, the further consideration of the motion to reconsider was postponed until to-morrow, when the bill to appropriate money to secure a proper representation at the centennial, would come up on its second reading.

BILLS ON SECOND READING.

The bills—

H. B. 223. To amend section 3614 of the Revised Code;

H. B. 227. To amend an act to declare a lien in favor of laborers, mechanics and employees, and to provide for the enforcement thereof;

H. B. 228. To place entries made by deceased executors, administrators, guardians and trustees, prior to the passage of the act of 14th February, 1876, upon the same ground as to competency, as such entries made subsequent to that date;

H. B. 232. To constitute circuit clerks, clerks *ex officio* of the county courts of this State;

H. B. 233. To amend section 2718 of the Revised Code.

And the senate bills—

S. B. 56. To amend section 3463 of the Revised Code;

S. B. 71. To amend section 421 of the Revised Code;

S. B. 82. For the payment of P. Phillips for professional services rendered to the State in the supreme court of the United States;

S. B. 116. To require county treasurers to cancel claims against the general or fine and forfeiture fund of any county, which are paid into county treasuries;

Were severally read the second time and referred to the committee on the judiciary.

The bills—

H. B. 222. To provide for levying and collecting a special tax for the county of Clay;

And the senate bill—

S. B. 27. To amend section 12 of an act to establish a new charter for the town of Union Springs, Bullock county, Alabama, approved March 1, 1870;

Were severally read the second time and referred to the committee on local legislation.

The bill—

H. B. 224. To amend the first section of an act to incorporate the town of Rockford, in the county of Coosa, approved March 20, 1875;

Was read the second time and referred to the committee on corporations.

The bill—

H. B. 225. To amend section 49 of the act to establish revenue laws for the State of Alabama, approved March 19, 1875;

Was read the second time and referred to the joint committee on revenue.

The bill—

H. B. 226. To provide for the funding of all outstanding obligations;

Was read the second time and referred to the committee on finance.

The bill—

H. B. 230. To prohibit the sale or giving away of spirituous liquors within three miles of the Baptist and Presbyterian churches at Pleasant Hill, Dallas county;

Was read the second time and referred to the committee on temperance.

The bills—

H. B. 231. To provide for the fees of circuit clerks in certain cases therein mentioned;

H. B. 234. To regulate the collection and disbursement of the fines and forfeitures in the State of Alabama;

And the senate bills—

S. B. 129. For the appointment and compensation of special chancellors in certain cases;

S. B. 119. To amend section 109 of the Revised Code;

Were severally read the second time and referred to the committee on fees and salaries.

The bill—

H. B. 235. To carry into effect the intention of the Congress of the United States in the donation of a certain quan-

tity of lands to the legislature of the State of Alabama, by the act of March 2d, 1819, to be by said legislature held and administered for the use of a seminary of learning in said State;

Was read the second time and referred to the joint committee on the constitution.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 20, 1876.

Mr. Speaker :

The senate has passed the following house bill:

H. B. 82. An act to fix the time of meeting of biennial sessions of the general assembly.

And has amended, as therein shown, and passed house bill—

H. B. 71. To repeal an act in relation to appeals from justices courts.

The senate concurs in the house amendment to the senate bill—

S. B. 59. Prescribing how private corporations may increase their capital stock, or bonded indebtedness.

The senate has originated and passed the following bills:

S. B. 162. To amend section 1836 of the Revised Code, and to declare certain days legal holidays.

S. B. 33. To amend section 3836 of the Revised Code, as it now stands in said Code, and to repeal certain acts therein named.

S. B. 130. To incorporate the Centennial University for Ladies.

S. B. 88. To repeal an act, approved March 27th, 1873, in relation to the fine and forfeiture fund of Tuscaloosa county, and other counties therein named, so far as it relates to Lowndes county.

And has adopted the accompanying joint resolution—

S. B. 195. Authorizing the Governor to appoint a messenger to convey official copy of memorial and accompanying documents to the United States Senate relating to the unseating of George E. Spencer as U. S. Senator.

Respectfully,

S. B. BREWER,
Secretary.

Mr. Price moved to suspend the regular order of business, to take up the senate joint resolution—

S. B. 195. Authorizing the Governor to appoint a messenger to carry an official copy of memorial and accompanying documents to the United States Senate relating to the unseating of Geo E. Spencer as United States Senator. Carried—yeas 60, nays 20.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Coon, Crews, Davis, Dillon, Edwards, Espy, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Maples, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson and Woolf—60.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Bliss, Boyd, Brantley, Cashin, Cook, Cockrell, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, Reid, Smith of Bullock, Witherspoon Wood of Talladega and Wynne—20.

Mr. Price called for the previous question ;

Which was sustained by a two-thirds vote—yeas 60, nays 22.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Maples, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson and Woolf—60.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Bliss, Boyd, Brantley, Cashin, Cook, Cockrell, Gilmer of Montgomery, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, Reid, Sims, Smith of Bullock, Witherspoon, Wood of Talladega and Wynne—22.

And the house concurred in the senate joint resolution—yeas 57, nays 21.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson and Woolf—57.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Bliss, Boyd, Brantley, Cashin, Cockrell, Gilmer of Montgomery, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, Reid, Sims, Smith of Bullock, Witherspoon, Wood of Talladega and Wynne—21.

The house then proceeded with the regular order of business.

SENATE BILLS ON FIRST READING.

The senate bills—

S. B. 1. To provide for the recording of certain papers by clerks of the circuit court, registers in chancery, and judges of probate;

S. B. 5. To define and regulate the practice and proceedings in mandamus cases;

S. B. 73. To prohibit the sale of lottery, or gift enterprise tickets in this State;

S. B. 77. For the relief of tax collectors of the State of Alabama;

S. B. 97. To restrict the powers of taxation within the incorporated towns, cities, and other municipal incorporations in this State;

S. B. 98. To authorize the Governor to refund money received by the State for commissions, to persons appointed to take the census for the State in 1875;

S. B. 117. To provide for the punishment of persons who shall post up or leave any obscene picture, placard, writing, or printed matter about or near any church, dwelling, academy, or public highway;

S. B. 147. To carry into effect section 47 of article 4 of the constitution of Alabama;

S. B. 148. To pay Joe Baumer for articles furnished the senate chamber;

Were severally read once, and ordered to a second reading on to-morrow.

REPORTS FROM COMMITTEES.

Mr. Beirne, from the judiciary committee, reported favorably to the bill—

H. B. 160. To protect persons having an interest in personal property, as tenants in common or part owners thereof ;

Which bill was read the third time and passed—yeas 58, nays 10.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Boyd, Brewer, Brown, Cashin, Clements, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Gibson, Gilmer of Lawrence, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Kirkland, Maples, Matthews, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—58.

Those who voted nay are—

Messrs. Baldwin, Bennett, Carson, Gilmer of Montgomery, Lee, Lewis, Locke, Smith of Franklin, Witherspoon and Wynne—10.

Also, from same committee, favorably to the bill—

H. B. 104. To repeal an act for the encouragement of mining, manufacturing, industrial, mechanical and commercial pursuits within the State of Alabama, approved April 23, 1873.

Which bill was read the third time and passed—yeas 65, nays 5.

Those who voted yea are—

Messrs. Allen, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Brown, Carson, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Gibson, Gilmer of Lawrence, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Tate, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—65.

Those who voted nay are—

Messrs. Lewis, Matthews, Mitchell, Witherspoon and Wynne—5.

Also, favorably to the bill—

H. B. 143. To amend section 4013 of the Revised Code.

Which bill was read the third time and passed—yeas 74, nays none.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Edwards, Espy, Farriss, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—74.

Also, favorably, with amendment, to the bill—

H. B. 148. To amend section 751 of the Code;

Amend by adding to section 3 the following:

“Provided, That the probate judge shall keep a minute entry of the proceedings held under this act, whereby such special judge is elected; same to be entered upon the minutes of said circuit court, so organized over the official signature of such probate judge;

The amendment was adopted, and the bill read the third time and passed—yeas 62, nays 8.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barnett, Beirne, Bell, Betts, Billups, Bliss, Bonner, Brewer, Brown, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Mathews, Nelson, Price, Prowell, Purcell, Reid, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—62.

Those who voted nay are—

Messrs. Bennett, Blevins, Boyd, Brantley, Cashin, Lee, McDuffie and Witherspoon—8.

Also, from same committee, reported a substitute for the bill—

H. B. 147. To prescribe the mode of giving notice, as required under article 4, section 24 of the constitution ;

The substitute was adopted.

Mr. Wilson moved to amend by striking out the word "five," where it occurs in section one, and inserting the word "three" in lieu thereof. A division of the question being called for, the vote was first taken on striking out, which carried, and the vote being then taken upon inserting "three." Carried.

And the bill was read the third time and passed—yeas 74, nays 0.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—74.

Also, favorably to the bill—

H. B. 150. To amend section 3938 of the Revised Code ;

Which bill was read the third time and passed—yeas 73, nays 0.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Nelson, Price, Prowell, Purcell, Reid, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Troup, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—73.

Also, favorably to the bill—

H. B. 180. To authorize appeals to the supreme court on all judgments, or decrees granting or overruling motions for new trials at law, or rehearing in chancery ;

On motion of Mr. Andersen, (Mr. Clements in the chair,) the further consideration of the bill was postponed, and made the special order for to-morrow, 1 p. m.

By leave, Mr. Rice from the committee on local legislation, reported favorably to the senate bill—

s. B. 99. To repeal an act to regulate the time of holding probate court of Lee county, approved January 25, 1867 ;

Which bill was read the third time and passed—yeas 69, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Wilson, Wood of Talladega, Woolf and Wynne—69.

Mr. Mathews voted nay.

Mr. Barnett, from special committee on revenue, reported back to the house the following bills, which were referred to appropriate committees :

H. B. 218. To authorize and require tax collectors in this State to receive State obligations, in all cases when demanded by the tax payers ;

Referred to the judiciary committee.

H. B. 7. To authorize the trustee of the Alabama insane hospital, to sell certain lands therein named.

Referred to the committee on corporations.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following as correctly enrolled :

H. B. 166. To provide for and secure the collection of so much of the taxes of the year 1875 as shall remain uncollected at the time of the approval of this act, by the tax col-

lector of each county, who was elected at the general election held in each county, on the Tuesday after the first Monday in November, 1874.

H. B. 82. To fix the time of meeting of biennial sessions of the general assembly.

And the speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills.

And also the senate joint memorial—

S. B. 195. Authorizing the Governor to appoint a messenger to carry official copy of memorial and accompanying documents to the United States senate, relating to the unseating of George E. Spencer as United States senator.

On motion of Mr. Baldwin, the house adjourned until tomorrow morning, 11 o'clock.

TWENTY-FIRST DAY.

FRIDAY, January 21, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Petrie.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Bonner, Brewer, Baker, Brantley, Brown, Carson, Chambers, Cashin, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, Straughn, Tate, Townsend, Troup, Wharton, Wood of Talladega, Woolf and Wynne—73.

The journal of Saturday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Wilson until Tuesday, Mr. Greene of Jefferson until Monday; also to Messrs. St.

John and Gullidge for two days on account of sickness, and to Mr. Reid for five days on account of sickness in his family.

BILLS ON SECOND READING.

The bill—

H. B. 238. To appropriate a certain sum therein named to secure a proper representation of the State at the centennial exhibition at Philadelphia;

Was read the second time and referred to the committee on finance.

The house proceeded to the consideration of the special order for this hour, it being the motion to reconsider the vote by which 1,000 copies of the report of the joint committee on the centennial was ordered printed.

The motion to reconsider prevailed, and the report was referred to the committee on finance.

SENATE BILLS ON SECOND READING.

The senate bill—

s. B. 148. To pay Joe Baumer for articles furnished the senate chamber;

Was read the second time and referred to the committee on accounts and claims.

The senate bills—

s. B. 147. To carry into effect section 47 of article 4 of the constitution of Alabama.

s. B. 73. To prohibit the sale of lottery or gift enterprise tickets in this State.

s. B. 1. To provide for the recording of certain papers by clerks of the circuit courts, register in chancery and judges of probate.

s. B. 5. To define and regulate the practice and proceedings in *mandamus* cases;

Were severally read the second time and referred to the judiciary committee.

The senate bill—

s. B. 117. To provide for the punishment of persons who shall post up or leave any obscene picture, placard, writing or printed matter about or near to any church, dwelling, academy, or a public highway;

Was read the second time.

Mr. Purcell moved to amend by adding after the word

"public highway," "or retail establishment, or place of business," and amend the title to correspond.

The amendments were adopted and the bill referred to the judiciary committee.

The senate bills—

S. B. 77. For the relief of tax collectors of the State of Alabama.

S. B. 98. To authorize the Governor to refund money received by the State for commissions to persons appointed to take the census for the State in 1875;

Were severally read the second time and referred to the committee on ways and means.

The senate bill—

S. B. 97. To restrict the powers of taxation within incorporated towns, cities or other municipal incorporations in this State;

Was read the second time and referred to the committee on finance.

Mr. Aldridge offered the following resolution, which was adopted:

Resolved, That the committee on the judiciary be requested to inquire into the expediency and propriety of passing a law giving to blacksmiths, who work for the public, a lien upon the crop of those for whom they do blacksmith work, and that said committee report by bill or otherwise.

Mr. Barron offered the following resolution, which was adopted:

Resolved, That the committee on public roads and highways be instructed to inquire into the propriety of making a thorough revision of the laws relating to the working of the public roads, and report by bill or otherwise.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced—

By Mr. Aldridge—

H. B. 239. To amend section 3206 of the Revised Code.

By Mr. Kirkland—

H. B. 240. To repeal paragraph 12 of section 2, of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By Mr. Cockrell—

H. B. 241. To prevent employees and laborers from disposing of the crop raised by them until a final settlement is

made, and receipt given, showing the same to have been made without the written consent of each other.

By Mr. Herman—

H. B. 242. To amend section 4094 of the Revised Code.

Also—

H. B. 243. To prescribe the criminal jurisdiction of justices of the peace and notaries public.

By Mr. Betts—

H. B. 244. To repeal all acts authorizing or requiring the capitol to be insured.

Also—

H. B. 245. To repeal the act to provide for a sinking fund for the redemption of the State debt.

By Mr. Prowell—

H. B. 246. To define who are livery stable keepers and horse and mule dealers, under the laws of Alabama.

By Mr. Woolf—

H. B. 247. To declare judges of the circuit and city courts of this State incompetent to preside in certain cases, and to provide for the trial thereof.

By Mr. Harris of Perry—

H. B. 248. To amend subdivision 12 of section 2 of an act to establish revenue laws for the State of Alabama, approved 19th March, 1875.

By Mr. Huey—

H. B. 249. To regulate the distribution of the poll tax collected in each county in this State.

By Mr. Dillon—

H. B. 250. To amend section 2339 of the Revised Code.

Also,

H. B. 251. To amend section 2342 of the Revised Code.

Also,

H. B. 252. To amend section 2860 of the Revised Code.

Also,

H. B. 253. For the relief of E. J. Robinson, of St. Clair county.

By Mr. Clements—

H. B. 254. To amend section 3515 of the Revised Code.

By Mr. Jenkins—

H. B. 255. To repeal section 4 of an act to regulate the term of service of jurors;

Which bills were severally read once and ordered to a second reading on to-morrow.

SENATE BILLS.

The senate bills—

S. B. 33. To amend section 3836 of the Revised Code, as it now stands in said code, and to repeal certain acts therein named.

S. B. 162. To amend section 1836 of the Revised Code, and declare certain days legal holidays.

S. B. 88. To repeal an act approved March 27, 1873, in relation to the fine and forfeiture fund of Tuscaloosa county, and other counties therein named, so far as it relates to Lowndes county.

S. B. 130. To incorporate the Centennial University for Ladies;

Were severally read once and ordered to a second reading on to-morrow.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 21, 1876.

Mr. Speaker :

The senate has originated and passed the following bills :

S. B. 80. To close the accounts and settle the contracts made by the board for the improvement of the river, harbor and bay of Mobile.

S. B. 20. To amend section 2481 of the Revised Code.

S. B. 156. To repeal an act to prohibit the sale, giving away, or otherwise disposing of any vinous, spirituous or malt liquors, or intoxicating bitters, or other intoxicating beverages, within two miles of Walker's church, Bellevue precinct, in the county of Dallas.

S. B. BREWER,
Secretary.

The senate bills—

S. B. 80. To close the accounts and settle the contracts made by the board for the improvement of the river, harbor and bay of Mobile.

S. B. 20. To amend section 2481 of the Revised Code.

S. B. 156. To repeal an act to prohibit the sale, giving away, or otherwise disposing of any vinous, spirituous or malt liquors, or intoxicating bitters, or other intoxicating bev-

erages, within two miles of Walker's church, Bellevue precinct, in the county of Dallas;

Were severally read once and ordered to a second reading on to-morrow.

The house next proceeded to the consideration of the senate amendment to the bill—

H. B. 71. To repeal an act in relation to appeals from justices courts.

On motion of Mr. Woolf, it was referred to the judiciary committee.

The next business in order was the senate bill—

S. B. 60. To authorize the warden of the penitentiary to sue in all cases for dues to the penitentiary either in the county of Elmore or of the residence of any defendant, as he may deem best.

Mr. Woolf moved to amend the amendment adopted by the house on the 19th instant, by inserting between the words "brought" and "out," the words "against parties residing," so that the amendment will read: Provided, That such suits, where the same are brought against parties residing out of the county of Elmore, shall only be on contracts hereafter made.

The amendment was adopted.

Mr. Betts moved to amend by adding the following to section one: "Provided further, That this act shall not apply in case of existing contracts or obligations on other evidences of indebtedness which have come, or may hereafter come, into the hands of the warden by assignment or as collateral security."

On motion of Mr. Woolf, the bill, with the amendment, was referred to the judiciary committee.

SPECIAL ORDER.

The hour of 1 o'clock having arrived, the house proceeded to consideration of the special order for this hour, viz:

The bill—

H. B. 180. To authorize appeals to the supreme court on all judgment or decrees granting or overruling motions for new trial at law or rehearing in chancery;

Which bill was read the third time and lost—yeas 20, nays 47.

Those who voted yea are—

Messrs. Beirne, Bennett, Betts, Billups, Cashin, Clements,, Coon, Dillon, Herman, Huey, Jenkins, Jones of Russell,

Maples, Prowell, Rice, Shepard, Townsend, Wharton, Wood of Talladega, and Woolf—20.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Blevins, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cook, Crews, Davis, Dickson, Edwards, Farriss, Forsyth, Gibson, Gilmer of Montgomery, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Kimmey, Kirkland, Lee, Locke, Martin, Mathews, Mitchell, Nelson, Price, Ross, Rousseau, Smith of Franklin, Stevens, Tate, Troup and Wilson—47.

The house next proceeded to the consideration of the bill—

H. B. 117. To require circuit judges more promptly to dispose of all business in the circuit courts.

On motion of Mr. Chambers, the bill was recommitted to the judiciary committee.

REPORTS FROM COMMITTEES.

Mr. Beirne, from the judiciary committee, reported favorably to the bill—

H. B. 178. To prohibit judges of the circuit courts from holding special terms, and to repeal the act of 3d of February, 1876.

On motion of Mr. Chambers, the bill was laid on the table.

Also, from same committee, favorably to the bill—

H. B. 181. To amend section two of an act to repeal an act to establish a city court for the county of Lee, with criminal and civil jurisdiction;

Which bill was read the third time and passed—yeas 69, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, Woolf and Wynne—69.

SIGNING OF BILLS.

The Speaker, in the presence of the house, and immediately after the title had been publicly read, signed the senate bill—

S. B. 99. To repeal an act to regulate the time of holding the probate court of Lee county.

Leave of absence was granted Mr. McDuffie for two days.

On motion of Mr. Mathews, the house adjourned until to-morrow morning 11 o'clock.

TWENTY-SECOND DAY.

SATURDAY, January 22, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson, of the house.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Talladega, and Woolf—72.

The journal of yesterday was read and approved.

Mr. Stribling asked, and obtained leave, to record his vote in favor of the joint memorial to the United States Senate, in regard to the seat of Geo. E. Spencer; and, also, of the joint resolution authorizing the Governor to send the joint memorial by a messenger, &c.

And Mr. Allen asked, and obtained leave, to record his vote against the same.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Jones of Russell for five days, Espy four days, Holloway three days, (on ac-

count of pressing business); to Mr. Witherspoon for five days, and Mr. Reid till Tuesday next on account of sickness, and the leave of Mr. Jones of Pickens was continued for five days on account of sickness in his family. Leave was granted Messrs. Greene of Lee, Woolf and Barnett, on the joint committee on revenue, to sit apart from the house to-day, and also on Monday next.

BILLS ON SECOND READING.

The bills—

H. B. 239. To amend section 3206 of the Revised Code;

H. B. 241. To prevent employers and laborers from disposing of the crop raised by them until a final settlement is made and receipt given, showing the same to have been made, without the written consent of each other;

H. B. 242. To amend section 4094 of the Revised Code;

H. B. 243. To prescribe the criminal jurisdiction of the justices of the peace and notaries public;

H. B. 247. To declare judges of the circuit and city courts of this State incompetent to preside in certain cases, and to provide for the trial thereof;

H. B. 250. To amend section 2339 of the Revised Code;

H. B. 251. To amend section 2342 of the Revised Code;

H. B. 252. To amend section 2860 of the Revised Code;

H. B. 255. To repeal section four of an act to regulate the term of service of jurors;

Were severally read the second time and referred to the committee on the judiciary.

On motion of Mr. Price, the bill—

H. B. 236. To establish and regulate liens of mechanics and other persons;

Was taken from the table, read the second time, and referred to the committee on the judiciary.

The bills—

H. B. 240. To repeal paragraph 12, section 2, of an act to establish revenue laws for the State of Alabama, approved March 19, 1875;

H. B. 246. To define who are livery stable keepers, and horse and mule dealers, under the laws of Alabama;

H. B. 248. To amend sub-division 12, of section 2, of an act to establish revenue laws for the State of Alabama, approved 19th March, 1875;

Were severally read the second time and referred to the special joint committee on revenue.

The bill—

H. B. 249. To regulate the disposition of the poll tax collected in each county of this State;

Was read the second time and referred to the committee on education.

The bill—

H. B. 253. For the relief of E. J. Robinson of St. Clair county;

Was read the second time and referred to the committee on accounts and claims.

The bill—

H. B. 254. To amend section 3515 of the Revised Code;

Was read the second time and referred to the committee on fees and salaries.

The bill—

H. B. 245. To repeal an act to provide for a sinking fund for the redemption of the State debt;

Was read the second time and referred to the committee on finance.

The bill—

H. B. 244. To repeal all acts authorizing or requiring the capitol to be insured;

Was read the second time and referred to the committee on the State capitol.

SENATE BILLS ON SECOND READING.

The bill—

s. B. 162. To amend section 1836 of the Revised Code, and declare certain days legal holidays;

Was read the second time and referred to the committee on the judiciary.

The bills—

s. B. 80. To close the accounts and settle the contracts made by the board for the improvement of the river, harbor and bay of Mobile;

s. B. 20. To amend section 2481 of the Revised Code;

s. B. 88. To repeal an act, approved March 27, 1873, in relation to the fine and forfeiture fund of Tuscaloosa county, and other counties therein named, so far as it relates to Lowndes county;

Were severally read the second time and referred to the committee on local legislation.

The bill—

s. B. 130. To incorporate the Centennial University for ladies;

Was read the second time and referred to the committee on corporations.

The bill—

S. B. 33. To amend section 3836 of the Revised Code, as it now stands in said Code, and to repeal certain acts therein named;

Was read the second time and referred to the committee on the penitentiary.

The bill—

S. B. 156. To repeal an act to prohibit the sale, giving away, or otherwise disposing of any vinous, spirituous or malt liquors, or intoxicating bitters, or other intoxicating beverages, within two miles of Walker's church, Bellevue precinct, in the county of Dallas;

Was read the second time and referred to the committee on temperance.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced:

By Mr. Rousseau—

H. B. 256. To exempt deaf and dumb and blind persons from the payment of poll tax;

By Mr. Price—

H. B. 257. To amend section two of an act to amend the proceedings in the city court of Mobile, approved February 16, 1854;

By Mr. Maples, (with notice, &c.)—

H. B. 258. To prevent hunting with dogs or guns upon the premises of Wallace Henry, known as the Rose Place, and the lower part of said lands, owned by A. G. Henry, in Marshall county;

By Mr. Harris of Perry—

H. B. 259. To amend section 3555 of the Revised Code;

By Mr. Chambers—

H. B. 260. To protect the rights of claimants in suits for the recovery of personal property in specie;

By Mr. Stribling—

H. B. 261. To repeal an act in relation to trials of misdemeanors in Tuscaloosa, and other counties therein named, so far as the same relates to Washington county;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Heaton offered the following resolution:

Resolved, That this house, for the remainder of the session, will meet at ten o'clock, a. m.;

Which, on motion of Mr. Allen, was laid on the table.

REPORTS FROM COMMITTEES.

Mr. Brewer, from the committee on ways and means, reported adversely to the bill—

H. B. 195. To repeal section 913 of the Revised Code ;
Which was concurred in.

Also, favorably to the bill—

H. B. 207. For the relief of small tax payers.

Which bill was read the third time and passed—yeas 63, nays 0.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Carson, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton and Wynne—63.

Mr. Price, from the committee on local legislation, reported favorably to the bill—

H. B. 92. To amend an act entitled an act to make it lawful for the sheriffs of Marion, and other counties therein named, to execute all processes issued by justices of the peace and notaries public, and receive the usual fees for the same so far as relates to the county of Elmore.

Which bill was read the third time and passed—yeas 58, nays none.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Bell, Betts, Billups, Bonner, Boyd, Brewer, Brown, Carson, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Smith of Franklin, Ste-

vens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Talladega and Wynne—58.

Also, favorably to the bill—

H. B. 43. To fix and regulate the time of holding the circuit courts in the fifth judicial circuit of Alabama ;

Which bill was read the third time and passed—yeas 65, nays none.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Chambers, Clements, Cook, Davis, Dickson, Dillon, Edwards, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Talladega and Wynne—65.

Also, favorably to the bill—

H. B. 132. To amend so much of an act to amend an act to prescribe the time of holding the circuit courts in the 10th judicial circuit, approved February 20, 1875, as relates to the county of Coosa ;

Which bill was read the third time and passed—yeas 68, nays none.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Matthews, Nelson, Price, Prowell, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Talladega, Woolf and Wynne—68.

Also, favorably to the bill—

H. B. 105. To fix the time of holding the circuit court of the county of Clarke, and to regulate the practice therein in certain cases ;

Which bill was read the third time and passed—yeas 66, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Matthews, Nelson, Price, Prowell, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stevens, Straughn, Tate, Townsend, Troup, Wharton, Wood of Talladega and Wynne—66.

Also, favorably to the bill—

H. B. 49. To establish the southern chancery division and to arrange the court by districts in the same.

Which bill was read the third time and passed—yeas 64, nays 2.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Matthews, McDuffie, Mitchell, Nelson, Patterson, Price, Prowell, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—64.

On motion of Mr. Andrews, the vote by which the bill passed was reconsidered, and its further consideration was postponed and made the special order for Tuesday next, 12, m.

Mr. Price, from same committee, reported favorably to the senate bill—

S. B. 81. To repeal an act to prohibit the assessment or collection of, or the appropriation of, the tax of Pike county for the erection of a courthouse;

Which bill was read the third time and passed—yeas 67, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Farriss, Forsyth, Gibson, Gilmer of Montgomery, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Talladega, and Wynne—67.

Also, favorably to the senate bill—

s. B. 87. To prescribe the time for holding the chancery courts in the several counties composing the middle chancery division ;

Which bill was read the third time and passed—yeas 66, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Farriss, Forsyth, Gibson, Gilmer of Montgomery, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Talladega, and Wynne—66.

Also, favorably, with amendment, to the senate bill—

s. B. 107. To repeal an act so far as it relates to Butler county, approved March 19, 1875, in relation to trials for misdemeanors in Tuscaloosa and other counties therein named.

Amend by inserting after the word "that" in second line of section one, the words "third and fourth sections of."

Amend the caption to correspond.

The amendments were adopted and the bill read the third time and passed—yeas 67, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers,

Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Farriss, Forsyth, Gibson, Gilmer of Montgomery, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Talladega, and Wynne—67.

Mr. Matthews voted nay.

Mr. Tate, from the committee on agriculture and commerce, reported favorably to the bill—

H. B. 131. To provide for and fix the rate of wharfage and storage on all the navigable waters of this State.

On motion of Mr. Brewer, the further consideration of the bill was postponed and made the special order for Wednesday next, 12, m.

Mr. Tate, from same committee, reported favorably to the bill—

H. B. 187. To amend section 1283 of the Revised Code ;
Which bill was read the third time and lost—yeas 23,
nays 43.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Barron, Bonner, Brewer, Chambers, Clements, Crews, Edwards, Gibson, Grant, Harris of Chambers, Huey, Jenkins, Rice, Ross, Rousseau, Sims, Stevens, Straughn, Tate and Wood of Talladega—23.

Those who voted nay are—

Messrs. Andrews, Baldwin, Beirne, Bennett, Betts, Blevins, Bliss, Boyd, Baker, Brantley, Brown, Carson, Cashin, Coon, Cockrell, Davis, Dillon, Farriss, Gilmer of Montgomery, Hamilton, Harris of Perry, Herman, Higgins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Prowell, Rice, Shepard, Smith of Bullock, Smith of Franklin, Stribling, Townsend, Troup, Wharton and Wynne—43.

Mr. Higgins moved to reconsider the vote by which the bill was lost ;

Which, on motion of Mr. Stribling, was laid on the table.

Also, from same committee, favorably to the bill—

H. B. 176. To authorize the probate judges in the several counties in this State, to order election in certain cases relative to the abolition of fences ;

On motion of Mr. Tate, the further consideration of the bill was postponed, and made the special order for Thursday next, 12 m.

Mr. Greene of Lee, from the committee on fees and salaries, reported favorably to the bill—

H. B. 10. To repeal an act approved March 30, 1870, to require the county treasurer of Wilcox county to pay the fees of certain officers, in certain cases;

Which bill was read the third time and passed—yeas 70, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Farriss, Forsyth, Gibson, Gilmer of Montgomery, Grant, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Martin, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Talladega, and Wynne.—70.

Mr. Bennett voted nay.

Mr. Maples, from the committee on temperance, reported favorably, with amendment, to the bill—

H. B. 230. To prohibit the sale or giving away of spirituous liquors within three miles of the Baptist and Presbyterian Churches at Pleasant Hill, Dallas county.

Amend by striking out section 3.

The amendment was adopted, and the bill read the third time and passed—yeas 57, nays 8.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Brown, Carson, Chambers, Clements, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Gibson, Gilmer of Lawrence, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Maples, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stevens, Straughn, Tate, Townsend, Troup, Wharton and Wynne.—57.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Boyd, Brantley, Cashin, Locke and Martin.—8.

Mr. Maples, from same committee, reported back to the house the bill—

H. B. 196. To provide for incorporating temperance and other societies and orders;

And asked that it be referred to the committee on corporations. It was so ordered.

On motion of Mr. Ross, the bill—

H. B. 237. To establish and organize an inferior court of record in each county, with criminal and civil jurisdiction, and to abolish the county courts;

Was taken from the table, read the second time and referred to the committee on the judiciary.

Mr. Greene of Lee, gave notice that the special joint committee, appointed to visit the penitentiary, would be absent on Monday and Tuesday of next week for that purpose.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 22d, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 51. To amend section 654 of the Revised Code.

H. B. 116. To amend section 3570 of the Revised Code.

And has originated and passed the following bills :

S. B. 175. To repeal section 683 of the Revised Code.

S. B. 176. To detach the chancery district, composed of the county of St. Clair, from the middle chancery division, and attach the same to the northern chancery division.

S. B. 166. To amend an act to prevent the use of abusive, insulting or vulgar language in the presence of families and females.

S. B. 21. In relation to the custody and expenditure of funds belonging to minors, in certain cases.

S. B. 161. To regulate the times of holding courts in the northern chancery division of Alabama.

Respectfully,

S. B. BREWER,
Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
January 22, 1876.

Mr. Speaker :

The Governor has approved the following bill which originated in the house of representatives :

H. B. 82. An act to fix the time of meeting of biennial sessions of the general assembly.

Respectfully,

L. R. DAVIS,
Private Sec'y.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following correctly enrolled :

H. B. 57. To amend section 654 of the Revised Code.

H. B. 116. To amend section 3570 of the Revised Code.

And the speaker, in the presence of the house and immediately after the titles had been publicly read, signed said bills.

On motion of Mr. Blevins, the house adjourned until Monday morning, 11 o'clock.

TWENTY-THIRD DAY.

MONDAY, January 24, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Jefferson Falkner.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Gulleage, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Townsend, Troup, Wharton, Wood of Marengo, Wood of Talladega, and Woolf—74.

The journal of Saturday was read and approved.

On motion of Mr. Harris of Perry, Mr. Wood of Marengo, was excused for non-attendance for the last five days, he having been detained by injuries received.

BILLS ON SECOND READING.

The bill—

H. B. 256. To exempt deaf and dumb and blind persons from the payment of poll tax ;

Which was read the second time.

Mr. Straughn moved to amend by exempting such persons from working on public roads and other public duties.

The bill, with the amendment, was referred to the committee on ways and means.

The bills—

H. B. 257. To amend section 2 of an act to amend the proceedings in the city court of Mobile, approved February 16, 1854.

H. B. 258. To prevent hunting with dogs or guns upon the premises of Wallace Henry, known as the Rose Place, and the lower part of said lands, owned by A. G. Henry, in Marshall county.

H. B. 261. To repeal an act in relation to trials of misdemeanors in Tuscaloosa and other counties therein named, so far as the same relates to Washington county ;

Were severally read the second time and referred to the committee on local legislation.

The bills—

H. B. 259. To amend section 3555 of the Revised Code.

H. B. 260. To protect the rights of claimants in suits for the recovery of personal property in specie ;

Were severally read the second time and referred to the committee on the judiciary.

SENATE BILLS.

The senate bills—

S. B. 21. In relation to the custody and expenditure of funds belonging to minors, in certain cases.

S. B. 161. To regulate the time of holding courts in the northern chancery division of Alabama.

S. B. 166. To amend the act to prevent the use of abusive or vulgar language in the presence of families and females.

S. B. 175. To repeal section 683 of the Revised Code.

S. B. 176. To detach the chancery district, composed of the county of St. Clair, from the middle chancery division, and attach the same to the northern chancery division ;

Were severally read once and ordered to a second reading on to-morrow.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced—

By Mr. Brewer (with petition and notice, &c.)—

H. B. 263. To repeal an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within three miles of Union Church and the public school house, in beat 7, Hale county.

By Mr. Anderson—

H. B. 264. To declare the steps taken by the purchasers under the foreclosure of a first mortgage on the Mobile and Montgomery railroad company sufficient to organize a distinct corporation, under the name of the Mobile and Montgomery railway company.

By Mr. Chambers—

H. B. 265. To incorporate the Alabama State Grange Fair.

By Mr. Dillon—

H. B. 266. To prescribe the fee of the attorney general and his agents for bringing suits, and collecting money on notes given for school lands;

Also,

H. B. 267. To amend sections 604, 606, 607, and 612, and repeal section 611 of the Revised Code of Alabama, all relating to the sale of school lands.

By Mr. Grant—

H. B. 268. To regulate the license of wholesale liquor dealers in towns incorporated under the Revised Code;

Also,

H. B. 269. To repeal an act in relation to appeals from justices' courts, approved December 24, 1868;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Coon offered the following resolution, which was adopted:

Resolved, That the committee on education is hereby requested to inquire into and make report in regard to all the school lands of the State, from the time of the donation by the United States to the present.

By Mr. Price—

H. B. 270. To define the proceedings, and regulate the practice on trials of impeachment, and for removal from office;

Which was read once and ordered to a second reading on to-morrow, and 150 copies ordered printed.

Mr. Wood of Talladega offered the following

JOINT RESOLUTION.

Resolved by the House of Representatives, (the senate concurring,) That a committee of two on the part of the house, and one of the senate, be appointed to proceed to the city of Talladega, and from personal inspection, report the number and condition of the late inmates of the freedman's hospital at that place; and what legislation, if any, is necessary in reference thereto. That said committee be charged with the further duty of visiting and reporting what appropriation is necessary, the current fiscal year, for the support of the institution of the deaf, dumb and blind.

On motion of Mr. Brown, the resolution was laid on the table—yeas 40, nays 27.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Betts, Billups, Bonner, Brewer, Brown, Cashin, Clements, Crews, Dickson, Edwards, Farriss, Gibson, Gullett, Hamilton, Harris of Chambers, Heaton, Higgins, Huey, Jones of Russell, Kimmey, Kirkland, Maples, Nelson, Price, Prowell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, Townsend, Troup, Wharton and Woolf—40.

Those who voted nay are—

Messrs. Baldwin, Barron, Bennett, Blevins, Boyd, Baker, Brantley, Carson, Chambers, Cook, Coon, Cockrell, Davis, Dillon, Fagan Forsyth, Franklin, Gilmer of Montgomery, Harris of Perry, Lewis, Martin, Mathews, Stribling, Wood of Marengo, Wood of Talladega, and Wynne—27.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 24, 1876.

Mr. Speaker:

The senate has adopted the following house joint resolution:

Joint resolution, instructing the joint committee on the penitentiary to ascertain, when they visit the same, if said penitentiary can be connected by rail road with the S. & N. rail road, at or near Elmore station, without the aid of the State.

Joint resolution extending this session beyond the period of thirty days;

Adopted by a vote of 20 yeas to 9 nays.

And has originated and passed the following bill:

S. B. 196. To prescribe a mode of designating the subdivisions of land sections, as established by the United States survey.

Respectfully,

S. B. BREWER,
Secretary.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary, Mr. Davis.

STATE OF ALABAMA, EXECUTIVE DEPARTMENT, }
Montgomery, January 24, 1876. }

Gentlemen of the Senate and of the House of Representatives of the State of Alabama :

I transmit herewith the report of the commissioners appointed under an act, approved 17th December, 1874, entitled "An act for the appointment of commissioners to liquidate and adjust all claims against the State of Alabama, arising from bonds, issued or endorsed in the name of the State."

To the report is appended a proposition for the settlement of bonds of the State, issued under certain acts therein referred to, which proposition, having been accepted in writing by the representatives of the holders of a large number of those bonds, has become a contract, subject to the approval of the general assembly.

There is also appended, subject to like approval, a contract with holders of the endorsed bonds of the Alabama and Chattanooga Railroad Company, for the liquidation and settlement of the demands against the State, growing out of that class of endorsed bonds.

The report of the commissioners presents fully and fairly the financial condition of the State, and contains recommendations to which your attention and consideration are respectfully invited.

I also submit a contract made by myself as Executive of the State, under authority conferred upon me by an act entitled "An act to protect the State in the matter of the franchises and property of the Alabama and Chattanooga Railroad Company, and of the lands donated to the State, for and on account of the railroad of that company, by acts of congress, and to authorize the present Governor to sell and dispose of the same, or any part thereof," approved March 20th, 1875, with the holders of the straight gold bonds of the

State, issued and loaned to the Alabama and Chattanooga Railroad Company under the act of the general assembly, approved February 11th, 1870, entitled "An act to loan the credit of the State of Alabama to the Alabama and Chattanooga Railroad Company, for the purpose of expediting the construction of the railroad of said company within the State of Alabama."

Under the provisions of the statute referred to, I could have concluded the contract without referring it to the general assembly, but it is a matter of great importance to the State and I deem it proper to submit it to the representatives of the people before it is consummated, leaving them to pronounce upon my action.

Pending the final agreement for the sale of the lands and other property, mortgaged to the State by the Alabama and Chattanooga Railroad Company, I invited my associate commissioners to consult with me and present their views, which they freely communicated, during the progress of the negotiations, and fully approve the terms of the contract I now submit.

Having united in the report of the commissioners, it is needless for me to say that I believe the adoption of the scheme of adjustment and settlement, which they recommend, will relieve the State of an incubus, which must be removed before we can have permanent prosperity.

I trust the solution of the difficult financial problem is at hand, and that the present favorable opportunity of obtaining relief for our heavily oppressed constituency may not be allowed to pass unimproved.

Very respectfully,

GEO. S. HOUSTON,
Governor of Alabama.

REPORT OF THE COMMISSIONERS.

OFFICE OF COMMISSIONERS,
Hontgomery, Ala., Jan. 24, 1876.

To the Governor of Alabama :

The commissioners appointed under an act approved 17th December, 1874, to ascertain, adjust and liquidate "all claims against the State of Alabama, arising from bonds issued or endorsed in the name of the State," have been assiduously engaged for the past year in the discharge of the duties assigned them, and, now, respectfully submit their report :

Our first duty, after taking the oath of office prescribed by law, was to ascertain the extent and character of the indebtedness of the State. In the discharge of this duty we were confronted with difficulties at every step.

The archives of the State were presumed to contain accurate and reliable evidence of the outstanding obligations of the State of every class, and under the presumption that all bonds are properly registered in the offices of the auditor and treasurer, the tabular statements of each class of indebtedness annually published by those officers are usually accepted as presenting the financial condition of the State. But our investigations soon developed the fact that the records are incomplete as to the endorsed bonds, and not entirely accurate as to the bonds extended and bonds issued and sold by the State.

In none of the tabular statements of the bonded debt, from 1872 to this date, do we find any five per cent. bonds past due—yet, we have ascertained that five per cent. bonds to the amount of \$21,000, due in 1872, are now held in the city of Philadelphia.

There are bonds in the office of the treasurer, signed and countersigned as required by law, which will mature in 1883, 1886, 1890 and 1892. These bonds, we presume, were prepared for the purpose of extending part of the *ante bellum* bonds, but if so, they have not been called for by the holders of the old bonds, or they were issued in excess of the amount required for extension. We have ascertained that some of those bonds in the office of the treasurer are embraced in the debt statement published by the Auditor, dating back to 1872, and have been embraced in all subsequent reports of that officer.

Thinking it probable that there might be in the Union Bank of London bonds or cash, or both, belonging to the State, we caused a communication to be addressed to the manager of that bank, for the purpose of eliciting information. He responded in July last, and reported that the bank held on account of the State of Alabama twenty-five new six per cent. bonds for £225 each, and twenty-seven old bonds due in 1866—seven for £112 10s. each, and twenty for £22 10s. each—and that there was to the credit of the State £3,156 15s. 8d., equivalent to \$17,362.30.

It is known that Gov. Smith omitted to have the bonds endorsed by him for railroad companies properly registered. After the induction of Gov. Lindsay into office, he attempted by correspondence with the various railroad companies to

supply the omission of his predecessor; but if our information be correct, Gov. Lindsay also endorsed bonds of which we find no record. In the report of the auditor the amount of bonds endorsed for the Selma, Marion and Memphis Rail Road Company is stated to be \$720,000. The late president of the company informs us that \$765,000 of the bonds of that company were endorsed by the State. It appears, therefore, from his statement that at least \$45,000 of the last endorsements were not registered.

Under these circumstances we could not rely upon the archives of the State for full and accurate information, either as to straight or endorsed bonds; and having no authority to compel the presence of witnesses or the production of papers, we obtained all the information we could by correspondence and otherwise from parties who were willing to furnish it without compulsion. We finally addressed a communication to the creditors of the State, which was published in Alabama, New York, and London. We regret to say that our reasonable request has not, up to this time, elicited a response from a large number of the bondholders.

Being, as already stated, dependent for information upon imperfect records, and the statements of railroad officials and others who were willing to make disclosures, and upon the reports made to us by bondholders in compliance with our request, we are, for the purposes of this report, forced to accept, in part, the statements of the auditor and treasurer as to the volume of the straight bonded debt, and of the endorsed bonds for railroad companies, and, therefore, our classification of the public debt, direct and contingent, will only be approximately, but we believe substantially, correct.

We have not ascertained that there is any error in the amount of eight per cent. bonds issued and sold during the administrations of Gov. Patton and Gov. Smith, as reported by the auditor.

During the administration of Gov. Lindsay an act approved 15th December, 1871, authorized the issue and sale of \$1,000,000 of eight per cent. bonds, and his successor, Gov. Lewis, was authorized by an act approved 25th February, 1873, to issue and sell \$1,500,000 of bonds bearing the same rate of interest. In the report of the auditor for the fiscal year ending 30th September, 1873, the amount outstanding of the first issue (known as the issue of 1872) is stated to be \$745,000, and of the last issue (1873) \$355,000. In the report of the same officer for the fiscal year ending 30th September, 1874, the issue of 1872 is reduced to \$650,000, and the issue

of 1873 is reported to be \$185,000—showing that of the two issues \$265,000 had been retired in some way; but other evidence impeaches the accuracy of those tabular statements.

The auditor says, on page four of his report for the fiscal year ending 30th September, 1874, that "the bonded debt has been decreased by the retiring of \$260,000 formerly hypothecated with and sold to Duncan, Sherman & Co." Unless bonds were purchased of other parties there is a discrepancy of \$5,000. But in regard to the amount of bonds purchased of Duncan, Sherman & Co., the statement of the auditor, and a letter received by us from Duncan, Sherman & Co., do not agree. The latter say, in a letter dated 23d March last, "on the 13th May, 1873, we purchased of the State of Alabama \$260,000 of the bonds of the State at 85 cents. We afterwards, on 7th September, 1874, sold \$246,000 of these bonds at 60 cents, viz: \$147,600, taking pay therefor, cash \$10,000 and \$187,600 in funding bills at 85 cents on the dollar—\$161,920." We are unable to reconcile this discrepancy of \$14,000 between the \$246,000 and \$260,000 as stated.

We now respectfully refer to documentary evidence that there has been an over issue of \$35,000 by either Governor Lindsay or Governor Lewis. The two issues are so connected in the transactions of Governor Lewis (he having used part of one and all of the other) as to render it necessary, to some extent, to treat them as blended issues.

In the report of the auditor for the fiscal year ending 30th September, 1874, the amount outstanding of *the two issues* is stated to be \$835,000. In the message of Governor Lewis, dated November, 1874, he says: "The State has now bonds of the issues of 1872 and 1873 to the amount of one million seven hundred thousand dollars, in the hands of the following depositories,"—naming them. If of the two issues \$835,000 had been sold, and the State had \$1,700,000 on deposit, as stated by Governor Lewis, the two amounts aggregate \$35,000 more than was authorized by law. Governor Lindsay, as already stated, was authorized to issue only \$1,000,000, and the issue of Governor Lewis was limited to \$1,500,000. We have ascertained that the statement of Governor Lewis in his message is correct, and if there be no error in the amount reported by the auditor as having been sold, there seems to be no way to account for the discrepancy except upon the hypothesis of an over issue.

It may be that some of the discrepancies and irregularities which we have felt constrained to expose, are attributable to the multitudinous fiscal agents employed by the State, espe-

cially from November, 1870, to November, 1874. In addition to the resident agents, in the cities of Montgomery and New York, there were itinerant agents. Gov. Lindsay and Gov. Lewis also made important negotiations, involving many hundred thousand dollars, and yet no formal report of their transactions can be found by us in any of the State departments. It is the duty of every fiscal agent of the State, high or low, to make to some department of the State a full report of his official transactions.

Mr. E. R. Mitchell acted for a time as agent of the State, under the appointment of Governor Lewis. We are informed that he holds two warrants on the treasury, amounting to \$84,923, drawn in January, 1873, to pay interest on the bonded debt. These two warrants ought long since to have been returned to the State and canceled.

The absence of reports, neglect to have accounts properly audited, and the blended transactions of fiscal agents and others acting as such, render it impossible to trace the money received and paid out by each, and their liability is consequently left in obscurity.

Of the \$1,700,000 of eight per cent. bonds referred to by Governor Lewis in his message, Josiah Morris & Co. hold \$650,000, which belong to the State. Part of them were purchased of Duncan, Sherman & Co., at sixty cents on the dollar, and were paid for in State obligations at eighty-five cents on the dollar. We have ascertained that \$161,900 of the State obligations were used in this transaction. Governor Lewis also used \$228,000 of State obligations in *redeeming* \$350,000 of eight per cent. bonds held by Duncan, Sherman & Co., as collateral security, and the whole amount of obligations has been put in circulation. To this unauthorized use of State obligations is attributable to the present redundant depreciated State currency.

INDEBTEDNESS OF THE STATE.

The direct and contingent indebtedness of the State is \$30,000,000. The recognized direct debt, exclusive of bonds issued or loaned to railroad companies, consists of bonds bearing five, six and eight per cent. interest; bonds issued for temporary loans; bonds hypothecated with and sold by the New York Guaranty and Indemnity Company, on account of a temporary loan; bonds hypothecated with and sold by assignees appointed by the United States District Court, in

bankrupt cases; State obligations, bearing eight per cent. interest; State certificates, known as "Patton money;" Trust funds, and some small claims against the State.

The recognized direct debt arising from aid given to railroad corporations, consists of bonds bearing seven per cent. interest, payable in coin. These bonds were issued and used in substitution, under what is known as the \$4,000 per mile act.

The contingent direct debt is composed of bonds hypothecated; a claim of the South & North Railroad Company for part of the three per cent. fund; an alleged balance due the public school fund, and a claim of W. A. C. Jones.

The contingent liability of the State on account of aid to railroad companies, embraces bonds endorsed for and bonds loaned to railroad corporations.

We will present these various classes of indebtedness, direct and contingent, in the order named, and for the purpose of reference will denominate them classes one, two, three and four.

CLASS ONE.

Five per cent. bonds due in New York in 1886....	\$2,414,800
“ “ “ “ “ 1892....	168,000
“ “ “ “ London in 1886.....	712,800
“ “ “ “ 1872 and not extended.	21,000
Six per cent. bonds due in London in 1886.....	82,500
Six per cent. bonds due in London in 1890.....	688,000
Eight pr. ct. (Patton issue) bonds due in N. Y. 1886	877,700
Eight pr. ct. (Smith issue) bonds due in N. Y. 1886	500,000
Eight pr. ct. (Lindsay is.) bonds due in N. Y. 1892	650,000
Eight pr. ct. (Lewis is.) bonds due in N. Y. in 1893	185,000
Eight pr. ct. short bonds sold by Gov. Lindsay in 1871	130,000
Eight pr. ct. bonds hypothecated with and sold by New York Guaranty and Indemnity Company..	28,000
Eight per cent. bonds hypothecated with and sold by assignees in bankruptcy.....	143,000
Eight per centum State obligations.....	1,000,000
State certificates, or Patton money, about.....	40,000
Balance due N. Y. Guaranty & Indemnity Com- pany, Jan. 1, 1875, (secured by \$102,000 of 8 per cent. bonds held as collateral,) about.....	67,000
Balance due Duncan, Sherman & Co., as reported in their schedule of assets, about.....	33,000

Balance claimed by the assignees in bankruptcy, (129,000 of 8 per cent. bonds held as collateral, about.....	66,000
Trust funds.....	2,810,670
Unpaid interest on items in this class, about.....	1,050,000
Total.....	\$11,677,470

To adjust and settle the five, six and eight per cent. bonds issued and sold directly by the State, including bonds used in renewal or extension of those issued before the war (except the \$21,000 of five per cent. bonds due in 1872, and \$253,500 of eight per cent. bonds belonging to the Agricultural & Mechanical College,) we have submitted to the holders thereof a proposition, a copy of which we append, marked "Exhibit A." It is to cancel the past due interest and such as will accrue up to 1st July, 1876, and to substitute a new bond for the face of those outstanding—the new bond to have thirty years to run and bear interest at the rate of two per cent. per annum for five years from 1st July, 1876; three per cent. from 1st July, 1881, to 1st July, 1886; four per cent. for the next ten years, and five per cent. for the remaining ten years—principal and interest payable in the city of New York in lawful money of the United States, and the bonds to be renewable at the pleasure of the State, at five per centum per annum.

This proposition has been accepted by the holders of bonds amounting to about \$3,000,000, and will no doubt be accepted by all who legitimately hold five, six and eight per cent. bonds. We recommend that all other bonds included in class one (except those held by the Agricultural & Mechanical College,) and also the balance due the New York Guaranty & Indemnity Company, Duncan, Sherman & Co., and the assignees in bankruptcy, be settled in like manner—that is, by the use of the new consolidated bond described in Exhibit "A."

This settlement will save to the State fully \$1,250,000, being the amount of interest to be canceled from the date of default in 1873 to 1st July, 1876. The reduction of the rate of interest from five, six and eight per centum on the old bonds, to two, three, four and five per centum on the new bonds, is a feature of the compromise which will commend the settlement to the tax payers of Alabama. It will save annually a very large amount, so long as the bonded debt may remain unpaid, and will remove all apprehension of oppressive taxation.

CLASS TWO.

Under an act approved 21st April, 1873, the State has issued direct bonds, bearing seven per centum interest, payable in coin, to the South & North, Grand Trunk, and Savannah & Memphis railroad companies, amounting to \$1,156,000, to-wit: To South & North \$732,000; Grand Trunk \$220,000; and to the Savannah & Memphis \$204,000. These three companies have surrendered \$5,103,000 of endorsed bonds, and there are now outstanding only \$391,000 of the bonds endorsed for the South & North rail road company, and \$142,000 of the Savannah & Memphis endorsed bonds. The Grand Trunk has none outstanding.

Under the provisions of the act, this part of the direct debt will be increased \$36,000 when the Savannah & Memphis company return the remainder of its endorsed bonds. The whole issue of seven per cent. bonds will then be \$1,192,000, and under existing laws can not be extended beyond that amount.

Of the \$732,000 issued to the South & North rail road company, \$391,000 remain in the possession of the State as indemnity against a similar amount of outstanding bonds endorsed for that company.

No interest has been paid by the State upon this issue of bonds, nor has any thing been paid to the State by either of the companies from their gross income, as provided by law.

We do not recommend that the State disown the compromise made under the act known as the \$4,000 per mile act. All compromises and adjustments made by parties who are competent to contract should be observed in good faith by each party thereto, and should be carried out according to the letter and spirit of the agreement, if the contracting parties have the ability to comply with the terms of the settlement. But in this case we think both the State and the corporations made a mistake. The State agreed to pay a high rate of interest in coin for thirty years, and now finds that it is unable to redeem its pledge. The corporations agreed to pay to the State three-fourths of one per cent. of their gross income for five years, and five per cent. annually thereafter, with power on the part of the State to increase it until a fund is created equal to the amount of the bonds; and to secure the State the corporations have, to a certain extent, placed their income under mortgage, which affects their credit and is otherwise embarrassing.

In view of the inconvenience and embarrassment incident to this contract, both to the State and to the three corporations, we think a new adjustment, by consent, is desirable. We, therefore, recommend that authority be given to substitute a new bond on the basis of fifty cents on the dollar of the principal of those outstanding—the new bond to have thirty years to run, at five per cent. per annum, and renewable at the pleasure of the State, both principal and interest to be made payable in New York in lawful money of the United States. The past due interest on the seven per cent. bonds, and the past due taxes unpaid by the rail road companies, may be made a set-off.

The new adjustment proposed would sever all connection between those corporations and the State, growing out of endorsements, and would, we are confident, result beneficially to all parties concerned.

It would relieve the lien upon the income of the rail road companies and improve their credit, and thereby benefit those who hold their obligations. The State would reduce the volume of its indebtedness \$596,000, and would save annually in the payment of interest about \$64,200. The interest on \$1,192,000 is \$83,440. Add the present price of gold, and the interest in United States currency will be \$94,000. If \$596,000, be substituted, as we propose, for \$1,192,000, the annual interest at five per cent. will only be \$29,800, showing, as above stated, an annual saving of \$64,200.

CLASS THREE.

1. Amount of claims of the South & North rail road company, alleged to be fully.....	\$600,000
2. Alleged balance due the School Fund.....	508,404
3. Claim of W. A. C. Jones, reported to be.....	150,000
4. Notes executed by Gov. Lewis to H. Clews & Co.	299,660
5. Bonds hypothecated by Gov. Lewis with Henry Clews & Co.....	650,000
6. Interest on same.....	130,000
7. Balance claimed by H. Clews & Co., as per account current of 21st July, 1874.....	235,029
Total.....	\$2,573,093

It is not our province to make any suggestion in regard to the claim of the South & North rail road company or the amount alleged to be due the school fund. They are not connected in any way with the bonded debt of the State, and

do not come within the scope of our investigation and adjustment. We only refer to them for the purpose of presenting, as nearly as possible, the entire indebtedness of the State, if all the claims preferred against her should be allowed.

The claim of W. A. C. Jones has been referred to us by joint resolution, approved 19th of March 1875. Until recently we have had no opportunity of investigating the merits of the claim, as Mr. Jones had not appeared before us in person or by counsel. Since his application to be heard in support of his demand against the State, other duties have precluded an investigation of his claim. As soon as the evidence is taken, we will report it to the General Assembly.

The financial transactions with H. Clews & Co. are anomalous. Money was borrowed of that firm from time to time by Gov. Lewis, commencing about the 1st of January, 1873, amounting to between three and four hundred thousand dollars. The amount appears to have been reduced by payments to \$299,660.20 on the 10th day of July, 1873, as shown by an account current rendered *on that day*. Ten days *prior* to that date, Gov. Lewis executed to Clews & Co., twelve notes signed by him as Governor, each for \$25,000, except one for \$24,660.20. They are all dated *1st of July, 1873*, and are payable six months after date *without interest*.

The aggregate amount of the notes and the amount of account as rendered ten days after the notes are dated, are identical, but we cannot understand why notes should have been executed on the 1st day of July, payable six months after date without interest, to close an account rendered on the 10th day of the same month and year. In the account rendered ten days after the notes were executed no credit is given for the notes. The notes are not in the form of commercial paper.

As collateral security, Gov. Lewis deposited with H. Clews & Co. \$650,000 of the eight per cent. bonds of the State, which Clews & Co. disposed of, and they are now outstanding against the State.

On the 21st of July, 1874, a supplemental account current was rendered by H. Clews & Co., in which the State is credited with the proceeds of an *assumed* sale of the \$650,000 of eight per cent. bonds at twenty and twenty-one cents on the dollar, but no notice is taken of the twelve notes. In the latter account the balance brought down against the State is \$235,029.43. In this latter account the balance of \$299,660.20, shown by the account rendered 10th of July, 1873, to be due

at that date, is brought forward, notwithstanding notes had been given to Clews & Co. for that amount.

This fictitious sale of the bonds was made by Clews & Co. after they had hypothecated them with sundry capitalists who had advanced money on them, and we are informed by the parties who held the bonds last summer that they had no knowledge of, or participation in, the pretended sale at twenty and twenty-one cents on the dollar.

Growing out of this remarkable transaction between Gov. Lewis and H. Clews & Co., three distinct classes of claims are now presented against the State :

1. Twelve notes executed by Gov. Lewis, dated 1st July, 1873	\$ 299,660 20
2. Bonds bearing eight per cent. interest from 1st July, 1873	650,000 00
3. Alleged balance due H. Clews & Co. on 21st July, 1874	235,039 43
Making	<hr/> \$1,184,689 63

besides interest, to cover an indebtedness which was only \$299,660.20 on the 10th of July, 1873, and an alleged advance of \$10,041.25 made on the 23d July, 1873.

The notes are held by the Fourth National Bank of New York, but they were not purchased or discounted by the bank. We have satisfactory evidence that they were turned over to the bank on or after the day when the failure of Clews & Co. was announced, as indemnity for money advanced on open account.

The hypothecated bonds (\$650,000) are held by sundry parties whose names are known to us. They were hypothecated by Clews & Co., and money was advanced on them. We do not know exactly how much was advanced by each party, but if our information be correct, the average advance was about fifty cents on the dollar—enough to extinguish the demands of Clews & Co. against the State, whether in the form of an account or notes.

The State is only liable for the amount of the debt which was due to Clews & Co., amounting to about three hundred and ten thousand dollars, with interest. This amount is all that we recommend to be arranged by the State ; and as to which of the claimants it belongs we do not undertake to decide. Until the parties interplead and establish such rights as they may have, the State cannot safely determine to whom payment should be made.

CLASS FOUR—ENDORSED BONDS.

Alabama & Chattanooga Railroad.....	\$ 4,720,000
Alabama & Chattanooga Railroad, over issue....	580,000
Selma, Marion & Memphis.....	765,000
New Orleans & Selma	320,000
Selma & Gulf.....	640,000
East Alabama & Cincinnati.....	400,000
Montgomery & Eufaula.....	1,280,000
Savannah & Memphis.....	142,000
(South & North \$391,000, but the collaterals are included in Class Two).....	
Unpaid interest, about.....	2,750,000
	<hr/>
	\$11,597,000

STRAIGHT BONDS.

Loaned to Alabama & Chattanooga railroad company.....	\$2,000,000
Loaned to Montgomery & Eufaula....	300,000
Unpaid interest, about.....	724,000
	<hr/>
	3,024,000
	<hr/>
	\$14,641,000

What shall be done with this class of alleged liability or contingent indebtedness?

The State aid system was inopportunately inaugurated. It would have been of doubtful propriety when the State was rich and prosperous, and it was certainly injudicious, as experience has demonstrated, after the State was reduced to poverty.

Sagacious capitalists must have foreseen that a State in which the value of the property of the people had been reduced from fully \$725,000,000 to barely \$160,000,000, and which had to borrow money annually to pay interest on its then existing debt, would not be able protect its endorsements for railroad companies, and the purchasers of such bonds must, as sensible and prudent men, have relied on the ability of the principal and not the surety for payment. They could not, it seems to us, have expected that the tax payers of Alabama, after having lost the bulk of their property by the events of war, and with an existing debt much greater than when the war commenced, and also a large amount of municipal and individual indebtedness, would be able to con-

tribute from their diminished resources a sufficient amount of revenue to pay the obligations of railroad corporations.

The limitations, restrictions and requirements contained in the State aid law were intended to protect, and if they had been faithfully enforced, would have protected the State against imposition and fraud. But our investigations satisfy us that the letter and spirit of the law which enjoined the observance of these requirements anterior to endorsements, were violated in many instances and in various ways, to the detriment of the State as well as the bondholders, and which in the judgment of many good men absolved the State from all legal or moral obligation growing out of such endorsements. This is a question, however, which, for the purposes of this report, it is unnecessary for us to discuss.

In the case of the Alabama and Chattanooga railroad company, authority was given to, and the duty imposed upon, Governor Lindsay, by an act approved 8th March, 1871, to ascertain upon what bonds of that company the State was liable as endorser, and to borrow money to remove the default of the company, in the payment of interest due on such bonds. Governor Lindsay, in the exercise of the authority conferred upon him by that act, decided that \$4,720,000 of the bonds had been legally endorsed, and he paid the semi-annual interest due on the 1st January and 1st July, 1871, and 1st January, 1872.

Moreover, under the provisions of the State aid law, Gov. Lindsay took possession of the road and equipments, and through agents appointed by him, operated it during part of 1871 and 1872. The State thereby asserted its right to seize the road, and it may be contended that it admitted its obligation to protect its endorsements, and that it is estopped by its action from interposing the defence to which we have referred.

It is also true that the general assembly, by its enactments, authorized Governor Lindsay and Governor Lewis to sell said road and equipments, and each of them did endeavor to make a sale. These various recognitions by the State seem to forbid the defences which many believe could be interposed, and we do not think the duty is enjoined upon us to sit in judgment upon the solemn acts of the General Assembly.

It is claimed by the holders of the endorsed bonds of this company, that great detriment to them resulted from the unskilled management of the road while it was in possession of the State, and that they are entitled to some indemnity

for injury to property which was mortgaged to them. We admit that there is some plausibility in this plea for compensation, but to what extent the bondholders were injured by the action of the State, has not been and cannot be accurately ascertained.

In view of all the facts and allegations to which we have referred, and the act of the General Assembly approved 8th of March, 1871, which we feel bound to respect, we regard this as a case not entirely devoid of equity, and one which should be settled by a fair compromise. We have, therefore, entered into an agreement with T. W. Snagge, Esq., of London, agent of the holders of about \$3,300,000 of the endorsed bonds of the Alabama & Chattanooga Railroad Company, under and by which, if approved by the General Assembly, the State will be relieved of many millions of dollars of contingent liability, and thereby quiet demands which might give the State future annoyance.

In full satisfaction of all liability on account of endorsements for that company, and of all other claims or demands on account of said road, we propose that the State pay \$1,000,000 in bonds having thirty years to run, and bearing interest at the rate of two per cent. per annum for five years, and four per cent. for twenty-five years—renewable at the option of the State for thirty years at five per cent. per annum. The bonds and coupons are to be made payable in the city of New York in lawful money of the United States.

The rate of interest is fixed at two per cent. for five years in consideration of the remission of such unpaid taxes as were due from the company on 30th September last.

For further particulars of this agreement we refer you to Exhibit "B."

This agreement, if consummated, taken in connection with a sale of the lands mortgaged to the State to secure the payment of the \$2,000,000 of straight bonds loaned to the company (the terms of which will be seen by reference to Exhibit "C"), will retire about nine millions of dollars of contingent liability, and put at rest all controversy and anxiety on account of the connection of the State with this ill-fated company.

Another inducement to enter into this agreement is the probable financial benefit which will accrue to the State. The road is now in a dilapidated condition, and under the management of a company not possessing the means necessary to repair and improve it, it will remain unsafe and unreliable as a common carrier. It will also continue useless as a source

of revenue to the State, as its net earnings now do not equal the taxes upon its assessed value.

A first-class railway, running through the State a distance of 240 miles, and furnishing traveling and transportation facilities to an intelligent and enterprising population, occupying fertile lands on either side of the road, and which would contribute largely to the development of immense mineral wealth now latent in mines of coal and iron, is a desideratum which we believe would be supplied by an approval and consummation of the agreement which we have made with Mr. Snagge. We are assured that if the bondholders become the owners of the road, and can add to the title which will be obtained under a decree of the United States Circuit Court, a transfer of the rights of the State under its statutory lien, and can secure \$1,000,000 in bonds of the State, even at the low rate of interest proposed, they will put the road in good order and make it in all respects a first-class road.

If the road were put in good order its business would increase, and the taxes from the road alone would no doubt equal the interest to be paid on the new bonds. The average amount of taxes assessed against the company from 1871 to 1874 inclusive, is \$37,377 81. To this add the revenue which would be derived from the enhanced value of property along the line of road, and it will be apparent that no apprehension of loss to the State need be indulged.

Considered, therefore, in a financial aspect, we deem it wise to settle with the bondholders as we propose.

As to the other five roads—the Montgomery & Eufaula, East Alabama & Cincinnati, Selma & Gulf, Selma, Marion & Memphis, and New Orleans & Selma—the undersigned submit, that there is litigation pending in the courts of this State and Tennessee of an important character, involving points of law that will in all probability very materially change the aspect of what is claimed as the liability of the State upon its endorsement of the bonds of those companies; and we trust may result in convincing the holders of said bonds that their true interest will be best advanced by their acceptance of a transfer of the lien of the State created by statute, and giving to the State a full discharge from those pretended claims against it.

We recapitulate the indebtedness of the State, direct and contingent, as follows:

Amount in class one.....	\$11,667,470
“ “ “ two.....	1,156,000
“ “ “ three.....	2,573,093
“ “ “ four.....	14,641,000

Total..... \$30,037,563

To recognize every claim preferred against the State would render the payment of interest, to say nothing of the principal, of such an enormous debt utterly impossible—even at a very low rate. It would be to acknowledge an indebtedness equal to one-fifth of all the property of the people—and to provide for the annual interest which would accrue, would require a tax, if not inhibited by the constitution, which would be tantamount to confiscation. It is apparent, therefore, that a just and honorable compromise is indispensable. Unjust claims must be rejected, and those which are acknowledged must necessarily be reduced.

RESOURCES OF THE STATE.

The revenue for the past fiscal year amounted to \$1,066,000. It will be less this year, as the assessments of railroad property show great depreciation of that species of property. We estimate that the receipts during the current year will not exceed \$1,040,000. This amount will be subject to the abatement made under the present revenue law to those who paid their taxes in October, November and December.

The expenses of the State during the past fiscal year, exclusive of appropriations to public schools and of interest paid to the University and the Agricultural & Mechanical College, and interest on State obligations, were about \$500,000. The expenses of the late constitutional convention were a proper charge upon the treasury for the past fiscal year, and if they had been paid out of the revenue of that year the entire legitimate expenses of the State would have been \$530,000. But the treasury was depleted at the time the convention was held, and the per diem of the delegates, and other expenses, were provided for by a temporary arrangement. Hence a charge upon the treasury has been transferred from the past to the present fiscal year. We assume, however, that the expenses of the State will be reduced to an extent equal to the amount expended in holding the constitutional convention.

Assuming that the General Assembly will fix the rate of interest on the United States surplus revenue fund at 4 per

cent., the deduction from the whole revenue of \$1,040,000, or whatever it may be, will be as follows :

State expenses.....	\$500,000
Interest on trust fund.....	100,000
Direct appropriation to public schools.....	100,000
Interest on the University fund.....	24,000
Interest on bonds held by the Agri. & Mech. College	20,280
Interest on State obligations, about.....	54,000
	<hr/>
	\$798,280

Leaving (if the revenue should be as estimated, \$1,040,000) \$241,720 to be appropriated as the general assembly may direct.

In postponing the payment of any interest on the new bonds tendered to the creditors embraced in class one, we have had in view the importance of retiring the State obligations as rapidly as possible; and if the surplus of this fiscal year should be used for that purpose, we think a sufficient amount of the obligations will be retired in two years to bring the remainder to par, or so near to par as to remove the inconvenience and most of the loss now incidental to their circulation as a currency. Our scheme of adjustment is based upon the supposition that for at least one year all the surplus which may accumulate in the treasury will be applied as we have indicated.

The improvement and ultimate extinction of the present depreciated State currency we regard as indispensable to the successful execution of our plan for settling the public debt. If the State obligations continue to be receivable in payment of taxes, and should remain at the present discount of about twenty per cent., the State, after 1st of July next, (when interest will commence to run on the new bonds) will be subjected to an annual loss of \$40,000 in providing United States currency to pay interest on the adjusted debt. With other legitimate demands upon the treasury—expenses of the State government and support of the public schools—this addition of \$40,000 would be very embarrassing.

One thing needed by the State now is *indulgence*. Its finances are broken down, and the State needs rest. So far as the public debt is concerned our proposed adjustment is based upon the well known poverty of the people and consequent empty treasury. We propose that the payment of interest be postponed so as to control whatever surplus there may be for one year and apply it to other purposes. After

next July we fix the rate of interest at only two per cent. on nearly all of the adjusted, to be gradually increased until it reaches the maximum rate as stipulated. By that time the reforms of the new constitution will be in operation, and the State, we hope, will have regained much of its lost prosperity.

It will be admitted that a well digested financial scheme may be easily executed if all its parts be kept in view, but a disregard of one may endanger all. It would be a calamity if undue anxiety to promote a single interest of the State should induce appropriations too lavish for the public good, and should thereby prevent the redemption and cancellation of the State obligations within a reasonable time, or should subject the State to default after the public debt shall have been satisfactorily adjusted and settled. Wisdom suggests that the finances of the State be placed upon a *solid basis*, and then the success of public schools and other important interests will be assured.

In the discharge of the duties imposed upon us we have kept steadily in view the honor and good name of the State, the just demands of creditors, the value of free public schools, and the poverty of the tax-payers. To mature a plan of settlement which would be honorable to one party and just to others, has required thought and deliberation. If the conclusions which we have reached be obnoxious to criticism, we can at least say that we are conscious of the rectitude of our purposes, and believe our action, if confirmed, will redound to the good of all concerned.

Much has been said about recuperation in this State. We believe it will come, sooner or later; but it can be retarded by acting under the influence of hope without combining it with discretion. Beyond a doubt, recuperation depends in a great degree upon the adjustment and reduction of the public debt.

Capital will not to any great extent seek investment in the mines, quarries, water power and fertile lands of Alabama, until it becomes evident that the present rate of taxation will eventually be reduced. Three-fourths of one per cent. upon the full value of property is a high State tax. There are but five other States in the Union (all Southern except one) which impose a tax as high as the present rate in this State, and both capital and immigration will be kept in check while the present enormous debt hangs over the State and threatens oppression or repudiation. But when it shall become known that the public debt has been reduced to \$10,000,000 or less,

(exclusive of trust funds) and the interest is regulated so as to comport with the resources of the State, we may confidently expect an influx of capital and labor, enhanced value of property, reduced rate of taxation, good schools, and a permanent and contented population.

Respectfully submitted,

GEO. S. HOUSTON,
LEVI W. LAWLER,
T. B. BETHEA,
Commissioners.

OFFICE OF COMMISSIONERS,
Montgomery, Ala., Nov. 20, 1875.

To the Creditors of the State of Alabama:

The undersigned, commissioners appointed to adjust and liquidate the indebtedness of the State of Alabama, have matured a scheme of adjustment and settlement of the bonds issued and sold in accordance with the provisions of the following named Acts authorizing the issue of bonds of the State, to-wit:

An act "to provide for the issue of State bonds," approved 15th December, 1865.

An act "to renew and extend the time of payment of certain bonds therein named," approved 18th January, 1866.

An act, "to provide for the payment of interest on the bonded debt of the State of Alabama," approved 13th February, 1866.

An act "to renew and extend the time of payment of certain bonds therein named," approved 6th February, 1867.

An act "to authorize the issue of State bonds," approved 12th August, 1868.

An act "to provide for the extension of certain State bonds, due and payable in London on the first day of June, 1870," approved 17th February, 1870.

An act "to relieve and regulate the finances of the State," approved 15th December, 1871.

An act "in relation to the State bonds of Alabama," approved 19th February, 1872.

An act "to maintain the credit of Alabama," approved 25th February, 1873.

We propose that the State of Alabama issue new bonds having thirty years to run, principal and interest payable in the city of New York in lawful money of the United States,

bearing interest payable semi-annually, as follows: From first July, 1876, to first July, 1881, at the rate of two per cent. per annum; for five years from first July, 1881, three per cent.; for the next ten years, four per cent., and for the remaining ten years, five per cent. per annum—said bonds to be renewable at the pleasure of the State at five per cent. per annum.

These new bonds will be given in exchange for the face of the bonds now outstanding, issued and sold in accordance with the provisions of the various acts hereinbefore recited, upon condition that all past due coupons and such as will mature on or before the first day of July, 1876, are to be surrendered to the State with the bond to which they belong, without being computed as part of the amount to be exchanged for new bonds. All coupons, both past due and to mature, must be surrendered.

Until the first day of November, 1876, the exchange of bonds will be made at the agency of the State in the city of New York, except those issued under the acts approved 15th December, 1871, and 25th February, 1873. Such bonds as has been issued and sold pursuant to the provisions of the two acts last named will be exchanged at the office of commissioners in the city of Montgomery, Alabama. After the first day of November, 1876, no bonds will be exchanged except at the office of the treasurer of the State.

In exchanging the proposed new issue of bonds for those outstanding, all past due coupons upon the new bonds will be detached at the time of the exchange.

When the creditors of the State contrast its financial condition in 1860, and at this time, they will see and admit that the State intends to observe good faith, and that the abatement of interest up to 1st July, 1876, and the modification proposed thereafter, results from the inability of the State to do more. In 1860, the property of the people of the State, subject to taxation, was estimated to be worth fully \$725,000,000, and the entire indebtedness of the State, foreign and domestic, did not exceed \$6,000,000. Now the property subject to taxation, including incomes, salaries of public officers, and all other subjects of taxation, is a fraction less than \$160,000,000, (as will be seen by reference to the report of the State Auditor,)—while the direct and contingent debt of the State, including past due interest, still unpaid, amounts to the enormous sum of \$30,000,000.

The rate of taxation is now three-fourths of one per cent., and under the constitution and laws of this State property is

assessed at a fair market value, and not at one-half its value, as is the practice in many other States. The maximum rate of taxation is limited by the organic law to the rate now imposed. If it were not so limited, it would be injudicious and oppressive to impose a higher rate.

Under the scheme of adjustment which we propose there is a necessity for commencing at a low rate of interest. There are now in circulation \$1,000,000 of State obligations, made by law receivable in payment of taxes and all other public dues. These obligations must be retired before the State can pay more than two per cent. per annum on the new bonds. They are the currency received and paid out by the State, but we hope by adopting a low rate of interest, as we propose, and by an honest and economical administration of the State government, the obligations can be retired by the first of July, 1881.

Under the salutary reforms provided in the new constitution the general assembly can create no new debt beyond a temporary loan of \$100,000, and we are confident the amount required to defray the ordinary expenses of the State will be materially diminished. We think, therefore, that the State may safely promise to pay three per cent. per annum for five years after 1st July, 1881. By that time the probable enhanced value of property, under anticipated recuperation, will justify a further increase of one per cent., making the rate four per cent. per annum; and as the tendency in Europe as well as America is to lower rates of interest, a good security bearing four per cent. interest will approximate par in both countries.

On the first day of July, 1896, the new bonds of the State will commence to bear five per cent. per annum, and they will then be equal in actual value to the bonds of Massachusetts, or any other State of the Union bearing the same rate of interest, and like the bonds of Massachusetts ought to command a premium.

The commissioners will recommend to the general assembly no plan of adjustment which they have reason to believe will subject the State to default in the payment of interest on the new bonds; and after carefully investigating the resources and liabilities of the State we are satisfied it would be unwise and unsafe to promise more than is embraced in our proposition as herein stated. Were we to do so, the State as well as the creditors would most probably be injured thereby.

If the general assembly should ratify the scheme of settlement which we have matured and now submit to the cred-

itors, notice of the time when the new bonds will be ready for exchange will be given by publication in New York and London.

Should we be favored with the co-operation of the creditors of the State in our efforts to adjust the public debt, by a prompt acceptance of our proposition, we hope and believe the general assembly will approve our action and enact such laws as may be necessary to carry into effect our recommendations.

An early response is respectfully requested.

GEO. S. HOUSTON,
LEVI W. LAWLER,
T. B. BETHEA,
Commissioners.

EXHIBIT "B."

The following are the terms of a proposed settlement by way of compromise, arrived at after prolonged discussion between the Governor of Alabama, the commissioners appointed under the statute of the general assembly of Alabama of December 17th, 1874, entitled "An act for the appointment of commissioners to liquidate and adjust all claims against the State of Alabama, arising from bonds issued or endorsed in the name of the State," and Mr. T. W. Snagge, the standing counsel of the corporation of foreign bondholders, acting under instructions from the council of the corporation, to confer with the said Governor and commissioners. The settlement by way of compromise, herein referred to, is in respect of—

The first mortgage endorsed bonds of the Alabama and Chattanooga railroad company of 1860, issued, endorsed and disposed of, in pursuance of, and in accordance with, the terms of certain statutes of the general assembly of the State of Alabama, namely: An act, approved February 19, 1867, entitled "An act to establish a system of internal improvements in the State of Alabama," and an act approved September 22, 1868, entitled "An act to amend the law to establish a system of internal improvements in the State of Alabama," and an act approved February 17, 1868, entitled "An act relating to the Wills Valley railroad company, and the North-east and South-west Alabama railroad company."

With respect to the first mortgage endorsed bonds of the Alabama and Chattanooga railroad company of 1869, above mentioned and described, the Governor and commissioners are willing to submit the following terms of settlement to the legislature for ratification:

1st. The amount of principal and overdue interest up to and including the half year's interest due January, 1st, 1876, to be added together, and the gross amount so ascertained shall be deemed to be the amount of indebtedness to be dealt with under this head. Inasmuch as a portion of the bonds and coupons, or of the bonds or coupons representing the indebtedness herein provided for, may have been or may hereafter be deposited in the United States Circuit Court for the Southern District of Alabama, in payment of the bid at a judicial sale of said railroad and property under decree of said court, and may have been or may hereafter be canceled, in compliance with the orders of said court, and it may not, therefore, be possible to produce them for the purpose of conversion under this agreement, it is agreed that the certificate of the clerk of said court, duly executed under the seal thereof, and specifying the description, numbers and amounts of such bonds and coupons, or bonds or coupons, so paid in and canceled, and that the same have been canceled, shall be deemed and taken to be for the purpose of conversion equivalent to the production of the actual bonds or coupons so canceled as aforesaid.

2d. The Governor and the State of Alabama will forthwith transfer and assign to the holders of the bonds and coupons, or to representatives in their behalf, all rights, powers, title and liens of every description, whether existing by statute or otherwise, and possessed by the State or Governor, in respect of the Alabama and Chattanooga railroad, upon the property embraced in the mortgage under which the bonds were issued; and this settlement is to be taken as an extinguishment only of the direct liability of the State upon said bonds, but shall have no effect upon, or in extinguishment of any lien in favor of the State heretofore in any manner created for the payment of the liability assumed by the State upon said bonds, but such lien shall be retained and kept alive solely for the benefit of such of the first mortgage bondholders as may become purchasers of said railroad under the decree of the United States Circuit Court for the Southern District of Alabama, of the 23d day of January, 1874, and the 15th day of January, 1876, as against all persons who are not entitled to participate as purchasers in the benefits of

said first mortgage, and the said purchasers shall be clothed with full power as a company to assert and enforce the same, as the State might at any time have done, prior to this settlement.

3d. An amount of new State direct bonds bearing interest from the first day of January, 1876, shall be created and issued, and shall be applied in retirement of the bonds and coupons forming amount of indebtedness referred to in paragraph one.

4th. The new State direct bonds so to be issued and applied shall become due in thirty years from their date, and shall bear four per cent. interest, but shall be retirable at maturity at the option of the State, by the issue of new bonds for a like term of thirty years, bearing interest at five per cent. The full amount of interest at four per cent. is not to begin for five years from January 1st, 1876. The amount of interest for the first three years, commencing January 1st, 1876, shall be at the rate of two per cent., and for the fourth and fifth years at the rate of three per cent. per annum, subject, however, to the following conditions: The State of Alabama claims that certain taxes are due and unpaid from the Alabama and Chattanooga railroad company. It is agreed that the claim for all taxes so due and unpaid up to the beginning of the present fiscal year shall be remitted by the State; *Provided*, That the interest upon the said bonds for the fourth and fifth years, from the first of January, 1876, be reduced from three per cent., as provided in paragraph four, to two per cent. per annum. But such remission of taxes shall be for the benefit only of the bondholders purchasing and becoming possessors of the railroad and property under the decrees of said court as aforesaid, and any future owners of said railroad and property deriving under them.

5th. The principal and interest of said new State bonds shall be payable in lawful money of the United States.

6th. The bonds and coupons shall be payable in the city of New York.

7th. The amount of the new State bonds to be issued as aforesaid shall be for one million of dollars in one thousand bonds of one thousand dollars each.

8th. The requirements of the acts of the general assembly of Alabama of the 11th of February, 1870, so far as they relate to the setting aside a sinking fund, and to charges for passenger and freight traffic, shall be repealed, and the tariff of charges for passenger and freight traffic upon the Alabama and Chattanooga railroad shall be placed on the same foot-

ing as in the case of other railroads in the State; *Provided, however,* That such portion of said statute as directed that a sinking fund shall be set aside, shall not be deemed to be repealed, but shall continue in force until the judicial sale and purchase of the railroad and property under the before mentioned decrees of the United States court for the southern district of Alabama shall have been completed, and actual possession of the railroad shall have been acquired by the purchasing bondholders; and, *Provided further,* That if the general assembly shall at any time hereafter give to any railroad in the State of Alabama the right to increase its rate of charges for passenger or freight traffic, the Alabama and Chattanooga railroad company, or its successors, shall by virtue of this contract, become entitled to the larger rights so given.

9th. The conversion of securities shall take place in London or New York, at the option of the bondholders desiring to convert their bonds. Such conversion as shall take place in London, shall be carried on under the joint superintendence of an agent appointed and paid by the State of Alabama, and of the council of the corporation of foreign bondholders.

10th. The State of Alabama shall bear the expenses of printing and preparing for conversion the new bonds to be created and issued as before mentioned.

In witness whereof the parties herein first named have hereto set their hands in duplicate at Montgomery, this 22nd day of January, 1876.

GEO. S. HOUSTON,
LEVI W. LAWLER,
T. B. BETHEA,
Commissioners.
T. W. SNAGGE.

In presence of,
P. HAMILTON.

EXHIBIT "C."

The following are the terms of the proposed settlement by way of compromise in respect of the straight gold bonds of 1870, authorized by the act of the legislature approved February 11, 1870, entitled "*An act to loan the credit of the State to Alabama to the Alabama & Chattanooga rail road company for the purpose of expediting the construction of the rail road of*

said company within the State of Alabama," agreed upon between the present Governor of the State of Alabama, acting on behalf of said State, under authority of an act of the General Assembly of Alabama, approved March 20, 1875, to be found on page 119 of the printed statutes of 1874-5, and Mr. T. W. Snagge, acting under instructions from the council of foreign bondholders, on behalf of the holders of the aforesaid bonds, and of the coupons representing interest due and unpaid thereon, or such of them as may accept the provisions hereof.

1st. The amount of principal and over-due interest up to and including the half-year's interest due on January 1, 1876, to be added together, and the gross amount so ascertained shall be deemed to be the amount of indebtedness to be dealt with under this head.

2d. The said holders of the said bonds and coupons, shall from time to time return and deliver, or cause to be returned and delivered, to the State of Alabama or to the Governor of said State, or to such agent or agents as the Governor may appoint for that purpose, the bonds of the State of Alabama heretofore issued by said State under provisions of the act of the General Assembly of Alabama of the 11th of Feb., 1870, before mentioned, and of which issue the principal amounts to the sum of two millions of dollars, exclusive of coupons due thereon for unpaid interest.

3d. In consideration thereof and in full extinguishment of all liability and debt on the part of the said State upon said bonds and coupons, the State of Alabama will forthwith assign to the trustees hereinafter mentioned, the bonds issued to the Governor of said State in exchange for said bonds of the State of Alabama by the Alabama & Chattanooga railroad company, and the mortgage executed by said rail road company to the State of Alabama, dated the 2d day of March, 1870, by which said bonds are secured as required by the said act of the 11th of February, 1870, in trust for the use and benefit of the persons who are the holders of the bonds and coupons of the said State, issued under the provisions of said act, and who shall deliver the same as provided in clause one (1) of this agreement; and will, also, by deed of release, assign and transfer as above provided, for the use of said bondholders so delivering said bonds, all the right, title and interest which said State of Alabama has or is entitled to for its use and benefit in and to the lands and property described in said mortgage executed by said Alabama & Chattanooga rail road company, and hereinbefore mentioned, and obtained

thereby and therefrom, and also all right, title, estate and interest acquired by purchase under decree of the District Court of the United States at Montgomery for the Middle District of Alabama, in the proceedings in the matter of the bankruptcy of the said Alabama & Chattanooga rail road company. The mortgages, if any, upon the telegraph line and telegraph offices, on the machine shops and all or any other property belonging to the Alabama & Chattanooga rail road, and on all coal mines, and iron and mineral lands, and iron and manufacturing establishments, in the said statute of the 11th of February, 1870, referred to, which exist or may exist in favor of the State of Alabama, or to which by the operation of said statute the State of Alabama may have become entitled, shall be and are also hereby released and assigned to said trustees in trust for the benefit of the holders of such said bonds and coupons, as may accept the provisions hereof, and the State of Alabama hereby releases and surrenders all demands upon the said rail road, except as herein otherwise provided for.

4th. The assignment and release in the last item above stipulated, is not to embrace the title to any land which the State of Alabama has acquired as a naked trustee under any act of congress for the construction of any rail road, but is to be the title only which the State has acquired beneficially for itself, or for its indemnity and protection against loss by reason of the issue by the State of the bonds for two millions of dollars, mentioned in the first item of this memorandum, whether under said mortgage by said rail road company or under the proceedings, sales and decrees of the court in the said bankrupt proceedings.

5th. As some of the lands intended to be conveyed by said mortgage to the State by said Alabama & Chattanooga Railroad Company lie within the conflicting or overlapping limits of lands granted by similar acts of congress to other railroad companies, and a division of said lands has not yet been effected, but they, in truth, form a part of the security which the State holds for its protection in respect of the bonds mentioned in the first item hereof, the said Governor of the State will advise and recommend to the General Assembly of the State that the title to such lands as may hereafter be divided and assigned for the benefit of the Alabama and Chattanooga Railroad Company, be also conveyed as is herein provided in the second item of this memorandum, the same being in equity and justice a part of the consideration which

the said State should yield for the relief of the liability of said State upon its said two millions of bonds.

6th. The said trustees shall have power to sue for, collect, recover, receive and apply for the benefit of said holders of bonds and coupons, as hereinafter provided, for all the money yet unpaid by purchasers from said railroad company, for and in respect of portions or parts of said lands which have been, or purport to have been, sold by said railroad company under the authority reserved to it by the act of February 11, 1870; and said trustees shall have further power to sue for, recover and collect of and from any person, persons or corporations any and all sums of money received by them or remaining in their hands and arising from any sales heretofore made of any portion of said lands, and which amounts should have been, but have not been, accounted for and paid to the treasury of the State under the said act of 11th February, 1870.

7th. The State of Alabama hereby agrees to release and surrender all and every lien, charge and incumbrance existing in favor of said State upon said lands, to secure the repayment of interest already paid by the State upon said lands. The amount of such interest, so paid by the State, shall, however, from time to time, be discharged by a payment by the said trustees to the treasurer of said State, of ten per centum upon the net proceeds of such sales of said lands as shall be made by the trustees under this contract, or upon the net selling value of such of said lands as any of the beneficiaries under this contract may, themselves, acquire title to from said trustees, until the whole amount of interest so paid is discharged; and no further or other claim for repayment of said amount shall be made by said State.

8th. It is further agreed that the Governor will recommend that the lands hereby proposed to be conveyed by the State of Alabama, for the purposes hereof, shall be exempt from taxation for a period of not less than eight years from the date of the conveyance thereof to the trustees hereinafter mentioned. But when any of said lands shall be sold or disposed of by said trustees to other parties, they shall be and become subject to taxation as other lands in the State, or as the legislature may direct.

9th. If the bondholders acquiring the lands under this agreement, or their trustees, shall seek to set aside any sales of lands already effected, (or purporting to have been effected,) the State will afford facility to enable them to do so by permitting the suit to be brought in the name of the

State, or otherwise, upon a proper indemnity for costs being given.

10th. Such provisions of the statute of the General Assembly of Alabama of the 11th of February, 1870, as direct that a sinking fund shall be set apart by the Alabama and Chattanooga Railroad Company to secure the State of Alabama in respect of bonds issued under that act, are hereby declared to be in force for the benefit of the bondholders accepting this agreement; such provisions, however, shall be deemed to be repealed so soon as the road and property of said railroad company shall have been purchased and actual possession thereof obtained by the holders of the first mortgage endorsed bonds of said company under the decrees of the United States circuit court before mentioned.

11th. The Governor will recommend that such provisions of any statute of the General Assembly of Alabama as confer upon the present Governor the power of dealing, in respect of said lands, shall be so modified as to confer a like power upon his successors.

12th. For the purpose of carrying into effect the settlement herein made, it is agreed that the lands hereby intended to be applied for the benefit of said bondholders, as well as all interest held or acquired by the State of Alabama therein, and all other rights hereby intended to be released and assigned in or to said lands shall be conveyed to and held by two trustees, of whom one shall always be nominated and appointed by the Governor or General Assembly of Alabama, and the other by a majority in number and value of such of the holders of said bonds and coupons as shall on or before the first day of May, 1876, or at the time of the occurrence of such vacancy, have come in and exchanged their bonds under this agreement; and such trustees shall have power, and it shall be their duty, to sell such portions of said lands as they may find expedient in order to carry out the purposes of this trust, in the manner most beneficial to the bondholders accepting this contract, and to dispose of, convey and make title to the same to individuals, or to foreign or native corporations, until the whole of said lands shall be sold; and said trustees, after deducting from the net proceeds of said sales the amount of ten per cent. before mentioned, and for the purpose before mentioned, shall distribute and apply the remainder of the proceeds of said sales from time to time among such bondholders as shall have surrendered their bonds, so that each bond shall receive its proportionate share of said proceeds; and said trustees shall retain a share of

such proceeds proportionate to the amount of such bonds as shall not then have been surrendered until they are presented and surrendered, provided that the said trust shall be closed at the end of ten years from the first day of May, 1876, after which time all bonds outstanding and not surrendered shall be barred and shall become disentitled to participate in the benefits of this agreement, and shall have no further claim against the State; and any proceeds of sales, which shall then be in the hands of the trustees shall be distributed *pro rata* among the holders of bonds who shall have surrendered their bonds; and any lands then remaining unsold in the hands of said trustees shall thenceforward be held by them in trust solely for the sole benefit of such holders of said bonds and coupons as shall have come in and surrendered their bonds under this agreement.

13th. The expenses of carrying out the trust herein mentioned shall be borne ratably by the beneficiaries under this agreement. The said trustees shall receive compensation for their services by such amount of commission upon the proceeds of sales of said lands as the majority in number and value of said bondholders who shall have surrendered their bonds shall determine, and it shall be the duty of the trustees appointed under this agreement to invite the attention of the holders of said bonds to the provisions of this contract and compromise by advertisements inserted at least four times in each year in the *London Times* newspaper, and one daily newspaper in New York.

In witness whereof the parties herein first named have hereunto set their hands in duplicate at Montgomery, this 22d day of January, 1876.

GEO. S. HOUSTON,
as Governor of Alabama.

T. W. SNAGGE.

The house proceeded to the consideration of the Governor's message, just received; whereupon, Mr. Clements offered the following joint resolution:

Resolved by the house of representatives, (the senate concurring), That the message of the Governor, and the report of the commissioners, in regard to the adjustment of the debts and liabilities of the State, be referred to a special joint committee of three on the part of the senate and five on the part of the house, and that the speaker of the house be made a member of the committee. Said joint committee shall report by bill or otherwise, and that 150 copies of the Governor's message, and accompanying documents, be printed.

On motion of Mr. Smith of Franklin, the resolution was amended by striking out "150" and inserting "2,000;" and, as amended, the resolution was adopted.

Committee on the part of the house—Messrs. Speaker, Clements, Chambers, Woolf, and Wood of Talladega.

REPORTS FROM COMMITTEES.

Mr. Woolf, from the judiciary committee, reported a substitute for the senate bill—

S. B. 25. To authorize letters testamentary to be issued to persons who are non-residents of this State;

The substitute was adopted, and the bill read the third time and passed—yeas 49, nays 17.

Those who voted yea are—

Messrs. Speaker, Andrews, Barnett, Barron, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Clements, Crews, Dillon, Edwards, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Maples, Nelson, Price, Prowell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Troup, Wood of Talladega, and Woolf—49.

Those who voted nay are—

Messrs. Aldridge, Baldwin, Bennett, Bliss, Boyd, Brantley, Cook, Cockrell, Davis, Fagan, Franklin, Lewis, Maples, Martin, Mathews, Wood of Marengo, and Wynne—17.

Also, from same committee, favorably to the bill—

H. B. 194. To amend section 3250 of the Revised Code;

Which bill was read the third time and passed—yeas 61, nays 3.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Crews, Davis, Dillon, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Grant, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Huey, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Nelson, Price, Prowell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Townsend, Troup, Wharton, Wood of Marengo, Wood of Talladega and Wynne—61.

Those who voted nay are—

Messrs. Blevins, Brantley and Mathews—3.

Also, favorably to the bill—

H. B. 165. To amend section 3300 of the Revised Code ;

Which bill was read the third time and passed—yeas 60, nays 10.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Betts, Billups, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Grant, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Huey, Jones of Russell, Kimmey, Kirkland, Maples, Mathews, Nelson, Price, Prowell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Townsend, Troup, Wharton, Wood of Marengo, Wood of Talladega, Woolf and Wynne—60.

Those who voted nay are—

Messrs. Bennett, Blevins, Bliss, Brantley, Cashin, Cook, Fagan, Gilmer of Montgomery, Locke and Martin—10.

Mr. Woolf, from the committee on finance, reported favorably to the senate bill—

S. B. 47. To amend section 430 of the Revised Code ;

Which bill was read the third time and passed—yeas 68, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brantley, Brown, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Huey, Jones

of Russell, Kimmey, Kirkland, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Townsend, Troup, Wharton, Wood of Marengo, Wood of Talladega, Woolf and Wynne—68.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 24, 1876.

Mr. Speaker :

The senate has concurred in the house joint resolution,

In regard to the appointment of a joint committee, to whom should be referred the Governor's message, and the report of the commissioners to adjust the State debt; and, also, to have 2,000 copies of the same printed.

Committee on the part of the senate—Messrs. Hamilton, Inzer and Robinson.

Respectfully,

S. B. BREWER,
Secretary.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
January 24, 1876.

Mr. Speaker :

The Governor has approved the following bills, which originated in the house of representatives:

H. B. 57. To amend section six hundred and fifty-four (654) of the Revised Code.

H. B. 116. To amend section 3570 of the Revised Code.

H. B. 5. To amend section 3279 of the Revised Code;

H. B. 166. To provide for and secure the collection of so much of the taxes of the year 1875 as shall remain uncollected at the time of the approval of this act, by the tax collector of each county who was elected at the general election held in each county on the Tuesday after the 1st Monday in November, 1874.

L. R. DAVIS,
Private Secretary.

On motion of Mr. Blevins, the house adjourned until tomorrow morning, 11 o'clock.

TWENTY-FOURTH DAY.

TUESDAY, January 25, 1876.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Falkner.

On the call of the roll, the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Bennett, Betts, Blevins, Bliss, Bonner, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Coon, Cockrell, Crews, Dickson, Dillon, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, Nelson, Prowell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne.

The journal of yesterday was read and approved.

On motion of Mr. Maples, the regular order of business was suspended, in order to allow the chairman of the judiciary committee to report one bill.

Whereupon, Mr. Woolf, from said committee, reported adversely to the bill—

H. B. 35. To repeal section 3519 of the Revised Code.

Pending the consideration of the report, on motion of Mr. Price, it was postponed, and made the special order for Wednesday, 1 p. m.

SIGNING OF BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the senate bills—

S. B. 81. To repeal an act to prohibit the assessment or collection of, or the appropriation of the tax of Pike county, for the erection of a court house.

S. B. 87. To prescribe the time for holding the chancery courts in the several counties composing the middle chancery division.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Billups for five days, on account of sickness, Mr. McDuffie until Saturday, for the same cause, and Mr. Smith of Bullock, on account of sickness in his family.

MESSAGES FROM THE SENATE.

SENATE CHAMBER,
January 25, 1876.

Mr. Speaker :

The senate has adopted the substitute for, and passed, the house bill—

H. B. 128. To provide for the revision, digesting and promulgation of the public statutes of this State of a general nature.

And has originated and passed the following bill:

S. B. 89. To prevent white and colored prisoners from being imprisoned together in the same apartments, before conviction.

Respectfully,

S. B. BREWER,
Secretary.

On motion of Mr. Tate, the bill—

H. B. 176. To authorize the probate judges in the several counties in this State to order elections, in certain cases, relative to the abolition of fences;

Which was made the special order for Thursday next, 12 m., was recommitted to a special committee of nine, of which Mr. Chambers should be chairman.

Committee—Messrs. Chambers, Tate, Betts, Espy, Prowell, Coon, Townsend, Ross and Gullledge.

SPECIAL ORDER.

The hour of twelve o'clock having arrived, the house proceeded to the consideration of the special order for this hour, viz: the bill—

H. B. 49. To establish the southern chancery division, and to arrange the courts by districts in same.

On motion of Mr. Stallworth, the bill was recommitted.

Mr. Anderson offered the following joint resolution :

Resolved by the house of representatives (the senate concurring), That on the joint committee to which was referred the message of the Governor, with the report of the commissioners and the accompanying documents, there be added five other members on the part of the house and three on the part of the senate.

Mr. Aldridge moved to amend by adding the following : And that the members so appointed shall be selected, as near as may be, from each congressional district.

Mr. Smith of Bullock moved to lay the amendment on the table. Lost.

The amendment was adopted, and the resolution, as amended, was adopted.

The following members were ordered to the committee on the part of the house: Messrs. Stallworth, Coon, Higgins, Ross and Aldridge.

BILLS ON SECOND READING.

The bills—

H. B. 262. To amend section 2357 of the Revised Code;

H. B. 264. To declare the steps taken by the purchasers, under the foreclosure of a first mortgage on the Mobile and Montgomery Railroad Company, sufficient to organize a distinct corporation under the name of the Mobile and Montgomery Railroad Company;

H. B. 266. To prescribe the fees of the attorney-general and his agents, for bringing suits and collecting money on notes given for school lands;

H. B. 269. To repeal an act in relation to appeals from justices courts, approved December 24, 1868;

H. B. 270. To define the proceedings and regulate the practice in trials of impeachment, and for removals from office;

And the senate bills—

S. B. 175. To repeal section 683 of the Revised Code;

S. B. 166. To amend an act to prevent the use of obscene, insulting, or vulgar language in the presence of families and females;

S. B. 21. In relation to the custody and expenditure of funds belonging to minors, in certain cases;

Were severally read the second time and referred to the committee on the judiciary.

The bill—

H. B. 268. To regulate the license of wholesale liquor dealers in towns incorporated under the Revised Code;

Was read the second time and referred to the committee on ways and means.

The bill—

H. B. 265. To incorporate the Alabama State Grange Fair ;

Was read the second time and referred to the committee on corporations.

The bill—

H. B. 263. To repeal the act to prohibit the sale or giving away or otherwise disposing of spirituous, vinous or malt liquors within three miles of the Union Church and the public school house, in beat 7, Hale county ;

Was read the second time and referred to the committee on temperance.

The bill—

H. B. 267. To amend sections 604, 606, 607, 610 and 612, and to repeal section 611 of the Revised Code, all relating to the sale of school lands ;

Was read the second time and referred to the committee on education.

SENATE BILLS ON SECOND READING.

The senate bills—

s. B. 176. To detach the chancery district, composed of the county of St. Clair, from the middle chancery division, and attach the same to the northern chancery division.

s. B. 161. To regulate the times of holding courts in the northern chancery division of Alabama ;

Were severally read the second time and referred to the committee on local legislation.

SENATE BILLS ON FIRST READING.

The senate bills—

s. B. 89. To prevent the white and colored prisoners from being imprisoned in the same apartments before conviction.

s. B. 196. To prescribe a mode of designating the subdivisions of land sections as established by the United States survey ;

Were severally read the first time and ordered to a second reading on to-morrow.

The house next proceeded to the consideration of the substitute of the senate to the bill—

H. B. 128. To provide for the revision, digesting and promulgation of the public statutes of this State, of a general nature.

On motion of Mr. Price, its further consideration was postponed and made the special order for Thursday next, 1 p. m.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced—

By Mr. Stribling (with notice, &c.)—

H. B. 271. To prohibit the sale of vinous or spirituous liquors within four miles of the court-house, at St. Stephens, in Washington county.

By Mr. Aldridge—

H. B. 272. To amend section 2860 of the Revised Code.

By Mr. Tate (with notice, &c.)—

H. B. 273. To incorporate the voluntary military company of Greenville, and to grant certain privileges.

By Mr. Stallworth—

H. B. 274. To establish a general incorporation law for the purpose of organizing mining, manufacturing, immigration or industrial companies in this State.

By Mr. Brantley—

H. B. 275. To prohibit the sale of liquor outside of incorporated cities, towns and villages;

Which bills were severally read once and ordered to a second reading on to-morrow, and 150 copies of house bill 274 were ordered printed.

Mr. Grant offered the following resolutions, which were severally adopted:

Resolved, That the committee on ways and means are hereby requested to present to this house for its consideration, a bill abolishing the offices of tax collector and tax assessors, and providing means for the assessment and collection of the taxes through other instrumentalities.

Resolved, That the committee on education are requested to take into consideration the question as to whether teachers of schools should have the same lien for their wages as mechanics and laborers now have under existing laws.

REPORTS FROM COMMITTEES.

Mr. Woolf, from the judiciary committee, reported back to the house the bill—

H. B. 18. To repeal an act prohibiting the sale of liquor, &c., within three miles of Harmony Church, Limestone county, approved January 29, 1875.

There being no notice as required by the constitution, and the bill was allowed to be withdrawn under the subsisting order of the house in regard to such bills.

Mr. Woolf, from the judiciary committee, reported favorably to the bill—

H. B. 198. To provide for the return of the books furnished by the State to the several county solicitors thereof;

Which bill was read the third time and passed—yeas 70, nays 0.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Barnett, Barron, Bell, Bennett, Betts, Bliss, Bonner, Boyd, Bozeman, Brewer, Brown, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Mathews, Nelson, Prowell, Reese, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—70.

Also, from same committee, favorably to the bill—

H. B. 200. Requiring the Secretary of State to furnish judicial officers of this State duplicate copies of supreme court reports, when the same have been and may be destroyed by fire without fault on their part or on the part of their predecessors in office;

Which bill was read the third time and passed—yeas 73, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Betts, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Huey, Jenkins, Jones of Russell, Kirkland, Lewis, Locke, Maples, Martin, Mathews, Nelson, Prowell, Reese, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—73.

Also, from same committee, reported a substitute for the bill—

H. B. 185. To amend section 4064 of the Revised Code.

The substitute being entitled an act to exempt from jury duty one druggist in certain cases.

The substitute was adopted, and the bill read the third time and passed—yeas 73, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Brantley, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullede, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Rice, Ross, Rousseau, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—73.

Mr. Reese voted nay.

Also, favorably to the bill—

H. B. 46. To provide for the payment of costs in criminal cases, in which indictments are withdrawn and filed.

Which bill was read the third time and passed—yeas 68, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Bennett, Betts, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Brown, Chambers, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Gullede, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—68.

Mr. Gilmer of Montgomery voted nay.

Also, favorably, with amendments, to the bill—

H. B. 189. To amend section 3932 of the Revised Code;

Amend as follows: Strike out the words "no malice appears from the evidence," in the last line of first page, and

first line of second page, and insert in lieu thereof, "no stick or other weapon is used."

Second, immediately after the word "commodity," in the second line of second page, insert the words "or property the stealing of which is not a felony, and"

The amendments were severally adopted, and the bill read the third time and passed—yeas 66, nays 4.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Barnett, Barron, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Forsyth, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Martin, Nelson, Price, Prowell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, Straughn, Tate, Townsend, Troup, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—66.

Those who voted nay are—

Messrs. Cashin, Gilmer of Montgomery, Mathews and Reese—4.

Also, favorably to the bill—

H. B. 73. To repeal section five of an act in relation to trials for misdemeanors in Tuscaloosa, and other counties therein named, approved March 19th, 1875, so far as same relates to Marion and Butler counties;

Which bill was read the third time and passed—yeas 69, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Bennett, Betts, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lewis, Maples, Mathews, Nelson, Price, Prowell, Reese, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, and Wynne—69.

Mr. Wood of Talladega voted nay.

Also, favorably to the senate bill—

S. B. 82. For the payment of P. Phillips for professional services rendered to the State, in the supreme court of the United States;

Which bill was read the third time and lost—yeas 30, nays 39.

Those who voted yea are—

Messrs. Allen, Barron, Bonner Baker, Brown, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Forsyth, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Harris of Dallas, Huey, Jenkins, Jones of Russell, Mathews, Price, Prowell, Rice, Ross, Rousseau, Stallworth, Straughn, Stribling, Tate, and Wood of Talladega—30.

Those who voted nay are—

Messrs. Aldridge, Andrews, Baldwin, Betts, Blevins, Bliss, Boyd, Bozeman, Cashin, Clements, Edwards, Espy, Farriss, Franklin, Greene of Jefferson, Gullett, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Nelson, Reese, Shepard, Smith of Franklin, Stevens, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Woolf and Wynne—39.

Those who voted yea are—

Mr. Woolf gave notice that he would move to reconsider the vote by which the bill was lost.

Mr. Chambers offered the following resolution:

Resolved, That from and after to-day, the morning session of the house should commence at 10 o'clock.

Mr. Blevins moved to lay the resolution on the table. Lost—yeas 5, nays 71.

Those who voted yea are—

Messrs. Blevins, Dickson, Harris of Dallas, Harris of Perry, and Smith of Franklin—5.

Those who voted nay are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Bennett, Betts, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullett, Hamilton, Harris of Chambers, Heaton, Higgins, Jenkins, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Reese, Rice, Ross, Rousseau, Shepard, Smith of Bullock, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—71.

The resolution was adopted.

On motion of Mr. Shepard, the house adjourned until tomorrow morning 10 o'clock.

TWENTY-FIFTH DAY.

WEDNESDAY, January 26, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson, of the house.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Bennett, Betts, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Nelson, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—77.

The journal of yesterday was read and approved.

Mr. Woolf moved to reconsider the vote by which the senate bill—

S. B. 82. For the payment of P. Phillips for professional services rendered to this State, in the supreme court of the United States, was lost on yesterday;

The motion prevailed, and the bill was recommitted to the judiciary committee.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Carson for two days, on account of sickness in his family, and to Mr. Davis for like time, on account of pressing business.

BILLS ON SECOND READING.

The bill—

H. B. 271. To prohibit the sale of vinous or spirituous liquors within four miles of the court house at St. Stephens, in Washington county ;

Was read the second time.

Mr. Stribling moved to amend as follows : Strike out the words "four miles," where they occur in section 1, and insert "eight miles ;" and, also, strike out the word "twenty" in the ninth line, section two, and insert "fifty" in lieu of it ;

The amendments were severally adopted and the bill referred to the committee on temperance.

The bill—

H. B. 272. To amend section 2860 of the Revised Code ;

And the senate bill—

S. B. 196. To prescribe a mode of designating the subdivisions of land sections as established by the United States survey ;

Were severally read the second time and referred to the committee on the judiciary.

The senate bill—

S. B. 89. To prevent white and colored persons from being imprisoned together in the same apartments before conviction ;

Was read the second time.

Mr. Martin moved to lay the bill on the table ;

Lost.

And the bill was referred to the judiciary committee.

The bills—

H. B. 273. To incorporate the volunteer military company in the city of Greenville, and to grant certain privileges ;

H. B. 274. To establish a general incorporation law for the purpose of organizing mining, manufacturing, immigration or industrial companies in this State ;

Were severally read the second time and referred to the committee on corporations.

The bill—

H. B. 275. To prohibit the sale of liquors outside of incorporated cities, towns and villages ;

Was read the second time.

Mr. Martin moved to lay the bill on the table ;

Lost.

And the bill was referred to the committee on temperance.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced :

By Mr. Higgins—

H. B. 276. To prevent the abuse of trespassing of stock, and to provide a remedy against the depredations of such stock as a lawful fence can not turn.

By Mr. Maples—

H. B. 277. To compel hunters of wild hogs and other animals, to give public notice of the same.

By Mr. Greene of Jefferson—

H. B. 278. To annex a portion of Blount county to the county of Jefferson.

By Mr. Price—

H. B. 279. To secure costs in criminal cases against the accused, that he be sentenced to the penitentiary of the State for a term of years and not for life.

By Mr. Barnett—

H. B. 280. To attach the county of Clark to the twelfth (12th) district of the middle chancery division.

By Mr. Harris of Perry—

H. B. 281. To amend section 14 of an act to establish revenue laws for the State of Alabama, approved March 19th, 1875.

By Mr. Huey—

H. B. 282. To fix the time in which mortgages and instruments in the nature of mortgages for purchase money notes shall be closed and enforced.

By Mr. Chambers—

H. B. 283. To amend an act in relation to trials for misdemeanors in Tuscaloosa and other counties therein named.

By Mr. Reid—

H. B. 284. To authorize and require tax collectors, in this State, to receive fox and wild cat scalps in payment of taxes.

By Mr. Wood of Talladega—

H. R. 285. Joint resolutions to amend the constitution, so as to prohibit the general assembly from establishing inferior courts of law and equity.

By Mr. Harris of Chambers—

H. B. 286. To repeal sections 446 and 447 of the Revised Code.

By Mr. Barron—

H. B. 287. To amend section 3633 of the Revised Code.

By Mr. Kimmey—

H. B. 288. To repeal an act to divide Coffee county into four commissioners districts.

Also,

H. B. 289. To prevent the commissioners court from levying more than one hundred per cent. on the State taxes for county purposes.

By Mr. Stallworth—

H. B. 290. To limit and define taxation for county purposes in this State.

By Mr. Stranghn—

H. B. 291. To prevent the judge of probate, county treasurer, and tax collector, from acting agent, clerk or deputy clerk, for one another.

Also,

H. B. 292. To prevent clerks, deputy clerks and employees, from practicing law in the courts in which they are clerks, deputy clerks or employees.

Also,

H. B. 293. To amend section 4345 of the Revised Code ; Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Chambers gave notice that he would, on to-morrow, move to amend the rules of the house as follows :

Bills on their first reading shall be read by their titles, but any member may call for the reading of the body of the bill, and it shall then, as a matter of course, go to a second reading on to-morrow, unless objection be made. No debate shall be allowed on the first reading of a bill, unless by the unanimous consent of the house.

Mr. Coon offered the following resolution, which was adopted :

Resolved, That the committee on public printing is hereby instructed to report a bill at an early day, providing for the letting to the lowest bidder the printing of the State, at the expiration of the term of office of the present State printer.

Resolved, That said committee shall report bills on all subjects required by section 30, article iv of the constitution, also, at an early day.

REPORTS FROM COMMITTEES.

Mr. Woolf, from the judiciary committee, reported favorably, with amendments, to the bill—

H. B. 117. To require circuit judges more promptly to dispose of all business in the circuit courts.

Amend by adding at the end of section three, "Provided further, That the judge of such court shall make all necessary orders for summoning juries to serve at such adjourned term."

The amendment was adopted, and the bill read the third time and passed—yeas 61, nays 9.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Bennett, Bliss, Bonner, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Cook, Coon, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Forsyth, Gibson, Gilmer of Montgomery, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Jenkins, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Nelson, Price, Reid, Ross, Rousseau, Sims, Smith of Franklin, Stevens, Straughn, Tate, Townsend, Troup, Wilson, Wood of Marengo, Wood of Talladega Woolf and Wynne—61.

Those who voted nay are—

Messrs. Betts, Greene of Jefferson, Matthews, Reese, Rice, St. John, Wharton and Witherspoon—9.

Mr. Barnett, from the committee on ways and means, reported adversely to the bill—

H. B. 111. To authorize county commissioners to refund money in certain cases;

Which was concurred in—yeas 58, nays 14.

Those who voted yea are—

Messrs. Allen, Aldridge, Barnett, Bell, Betts, Blevins, Bonner, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Dillon, Farriss, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Kirkland, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stevens, St. John, Townsend, Troup, Wharton, Wilson. Wood of Talladega, and Woolf—58.

Those who voted nay are—

Messrs. Andrews, Bennett, Boyd, Crews, Espy, Fielder, Franklin, Jenkins, Jones of Russell, Lewis, Straughn, Tate, Witherspoon and Wynne—14.

SPECIAL ORDER FOR TWELVE, M.

The house next proceeded to the consideration of the special order for 12, m., viz :

The bill—

H. B. 131. To provide for and fix the rates of wharfage and storage on all the navigable waters of this State.

Mr. Price moved to amend by adding to the third section of the bill the following: "Provided, That none of the provisions of this act shall apply to or effect the owners or keepers of wharves or ware-houses now erected and kept in any city or town in this State according to law."

The amendment was adopted and the bill read the third time and passed—yeas 72, nays 3.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Barnett, Barron, Bell, Bennett, Betts, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Espy, Farriss, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Locke, Maples, Matthews, Nelson, Price, Reid, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—72.

Those who voted yea are—

Messrs. Billups, Lewis and Witherspoon—3.

REPORTS FROM COMMITTEES.

Mr. Clements, from the committee on education, reported favorably to the bill—

H. B. 267. To amend sections 604, 606, 607, 610 and 612, and to repeal section 611, of the Revised Code, all relating to the sale of school lands;

Which bill was read the third time and passed—yeas 66, nays one.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Barnett, Barron, Bell, Bennett, Betts, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Coon, Cockrell, Cockrell, Crews, Davis, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lewis,

Locke, Maples, Martin, Matthews, Nelson, Price, Reid, Ross, Rousseau, Sims, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Woolf and Wynne—66.

Nay—Mr. Witherspoon—1.

Also, favorably to the bill—

H. B. 156. To repeal an act of the board of education to suspend the sale of sixteenth sections of land in certain localities, approved December 11, 1874;

Which was read the third time and passed—yeas 68, nays one.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Barnett, Barron, Bell, Bennett, Betts, Bonner, Boyd, Bozeman, Brewer, Baker, Brantly, Brown, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Espy, Fagan, Farriss, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lewis, Locke, Maples, Martin, Matthews, Nelson, Price, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon and Woolf—68.

Nay—Mr. Wynne—1.

Also, favorably, to the bill—

H. B. 226. To amend an act to revise and amend an act to keep in each county of this State a proportionate share of the public school money, approved April 19, 1873;

Which bill was read the third time and passed—yeas 70, nays 0.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Barnett, Barron, Bell, Bennett, Betts, Blevins, Bonner, Bozeman, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Coon, Cockrell, Davis, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gilmer of Lawrence, Gilmer of Montgomery, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—70.

Mr. Clements, from same committee, reported that the com-

mittee had had under consideration the resolution of Mr. Grant in regard to the question of giving teachers of schools a lien similar to that of mechanics and laborers for their wages, and that the committee were of the opinion that no further legislation was needed on that subject.

The report was received and adopted.

SPECIAL ORDER.

The hour of 1 o'clock having arrived, the house proceeded to the consideration of the special order for this hour, it being the bill—

H. B. 35. To repeal section 3519 of the Revised Code.

The question pending being the adverse report of the judiciary committee—

Mr. Harris of Perry, called for the previous question, which was sustained—yeas 49, nays 27.

Those who voted yea are—

Messrs. Aldridge, Barron, Bell, Bennett, Betts, Bozeman, Baker, Brantley, Brown, Chambers, Clements, Cockrell, Davis, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Maples, Mitchell, Nelson, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stevens, St. John, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, and Woolf—48.

Those voted nay are—

Messrs. Baldwin, Barnett, Blevins, Bliss, Bonner, Boyd, Brewer, Cashin, Cook, Coon, Crews, Dillon, Fagan, Gilmer of Montgomery, Greene of Lee, Harris of Dallas, Huey, Lewis, Locke, Martin, Mathews, Price, Reese, Stallworth, Straughn, Witherspoon and Wynne—27.

The house refused to concur in the adverse report—yeas 15, nays 60.

Those who voted yea are—

Messrs. Allen, Barron, Betts, Brewer, Brown, Coon, Greene of Lee, Harris of Dallas, Jenkins, Mathews, Mitchell, Price, Ross, Stallworth and Woolf—15.

Those who voted nay are—

Messrs. Aldridge, Barnett, Bell, Bennett, Blevins, Bliss, Bonner, Boyd, Baker, Brantley, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamil-

ton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lewis, Locke, Maples, Nelson, Rabby, Reese, Reid, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Wynne—60.

Mr. Dillon, moved to amend by way of substitute, entitled an act to amend section 3519 of the Revised Code.

On motion of Mr. Harris of Perry, the amendment was laid on the table, and the bill was read the third time and passed—yeas 56, nays 20.

Those who voted yea are—

Messrs. Aldridge, Barnett, Bell, Bennett, Blevins, Bonner, Boyd, Baker, Brantley, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Gulledge, Hamilton, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lewis, Maples, Nelson, Reese, Reid, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Wynne—56.

Those who voted nay are—

Messrs. Allen, Baldwin, Barron, Betts, Bliss, Brewer, Brown, Coon, Gilmer of Montgomery, Greene of Lee, Harris of Dallas, Jenkins, Locke, Martin, Mathews, Mitchell, Rice, Ross, Stallworth and Woolf—20.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following correctly enrolled :

H. B. 4. To amend section 43 of an act to regulate elections in the State of Alabama, approved March 3d, 1875.

H. B. 190. To authorize the publication of legal advertisements in Sunday newspapers.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills (Nos. 4 and 190.)

And also senate bills—

S. B. 107. To repeal the third and fourth sections of the act, so far as it relates to Butler county, approved March 19, 1875, in relation to trials for misdemeanors in Tuscaloosa and other counties therein named.

S. B. 47. To amend section 430 of the Revised Code.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 26, 1876.

Mr. Speaker :

The senate has concurred in house joint resolution requiring clerk of the house and secretary of senate to accompany each local bill with proof of publication, if in the possession of either branch of the general assembly.

And has concurred in the house amendment to the senate bill—

S. B. 107. To repeal an act so far as it relates to Butler county, approved March 19, 1875, in relation to trials for misdemeanors in Tuscaloosa and other counties therein named.

And has passed the following house bills:

H. B. 4. To amend section 43 of an act entitled an act to regulate elections in the State of Alabama, approved March 3d, 1875.

H. B. 190. To authorize the publication of legal notices in Sunday newspapers.

And has amended, as therein shown, and passed the following house bills:

H. B. 147. To prescribe the mode of giving notice as required under article 4, section 24 of the constitution.

H. B. 47. To provide for the payment of costs in criminal cases in which prosecutions are abated by reason of the death of defendants.

And has concurred in the house joint resolution, increasing the number of the joint committee of the two houses to whom were referred the Governor's message and the report of the commissioners to adjust the State debt. The additional members of the committee appointed on the part of the senate are—Messrs. Moore, Saffold and Little.

The senate has originated and passed the following bills:

S. B. 185. Joint resolution requiring the State printer to publish copy of the new constitution of this State with the acts of the present session of the general assembly.

S. B. 193. To prevent the hiring of convicts sentenced to penitentiary imprisonment to their relatives, or other persons therein named.

S. B. 182. To empower the court of county commissioners to levy a special tax for the purpose of building court houses or jails, or for the improvement of the same.

s. B. 183. To provide for keeping the Session Acts of the General Assembly of Alabama, the Supreme Court Reports, Smith's Condensed Reports, and Brickell's Digest, furnished by the State to each county, in the court room during the session of court, and in the probate office or bar library at all other times.

s. B. 197. To prescribe the time in which prosecutions for certain offenses therein named must be commenced.

s. B. 150. To incorporate the North Alabama Mining and Manufacturing Company.

s. B. 178. To amend section one of an act to prevent the sale or otherwise disposing of spirituous, malt or vinous liquors within three miles of McKenzie's church, in Monroe county, and within the beat known as Harrall's Cross Roads, in the county of Dallas, approved March 18, 1875.

Respectfully,

S. B. BREWER,

Sec'y of Senate.

On motion, the house adjourned until to-morrow morning, ten o'clock.

TWENTY-SIXTH DAY.

THURSDAY, January 27, 1876.

The house met pursuant to adjournment.

On the call of the roll the following members answered to their names:

Mess. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bennett, Betts, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gullette, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Matthews, Nelson, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Townsend,

Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—77.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Forsyth, Edwards and Kimmey, on account of urgent business, and Mr. Leslie, on account of sickness in his family, for five days.

Mr. Cockrell moved to reconsider the vote by which the bill—

H. B. 35. To repeal section 3519 of the Revised Code, Was passed on yesterday;

Which, on motion of Mr. Maples, was laid on the table.

BILLS ON SECOND READING.

The bills—

H. B. 279. To secure costs in criminal cases, where judgment is rendered against the accused, that he be sentenced to the penitentiary of the State for a term of years, and not for life;

H. B. 282. To fix the time in which mortgages, and instruments in the nature of mortgages for purchase-money notes, shall be foreclosed and enforced;

H. B. 283. To amend an act in relation to trials for misdemeanors in Tuscaloosa, and other counties therein named;

H. B. 286. To repeal sections 446 and 447 of the Revised Code;

H. B. 287. To amend section 3633 of the Revised Code;

H. B. 291. To prevent the judges of probate, county treasurer and tax collector from acting as agent, clerk or deputy clerk for one another;

H. B. 292. To prevent clerks, deputy clerks and employees from practicing law in the courts in which they are clerks, deputies or employees;

H. B. 293. To amend section 4345 of the Revised Code;

Were severally read the second time and referred to the committee on the judiciary.

The bills—

H. B. 281. To amend section 14 of an act to establish revenue laws for the State of Alabama, approved March 19th, 1875;

H. B. 284. To authorize and require tax collectors of this

State to receive fox and wild cat scalps in payment of taxes;
 H. B. 289. To prevent the commissioners court from levying more than one hundred per cent. on the State taxes for county purposes;

H. B. 290. To limit and define taxation for county purposes in this State;

Were severally read the second time and referred to the committee on ways and means.

The bill—

H. B. 288. To repeal an act to divide Coffee county into four commissioners districts;

Was read the second time and referred to the committee on local legislation.

The bill—

H. B. 278. To annex a portion of Blount county to the county of Jefferson;

Was read the second time, and, with the accompanying petition, was referred to the committee on counties and county boundaries.

The bill—

H. B. 280. To attach the county of Clark to the 12th district of the middle chancery division;

Was read the second time and referred to a special committee of three.

The bill—

H. B. 276. To prevent the abuse of trespassing stock, and to provide a remedy against the depredations of such stock as a lawful fence can not turn;

Was read the second time and referred to the committee on agriculture and commerce.

The bill—

H. B. 277. To compel hunters of wild hogs and other animals to give public notice of the same;

Was read the second time.

Mr. Matthews moved to amend by striking out the words "dog" and "gun," where they occur, and insert in lieu thereof the following: "Any person or persons who destroy, kill or damage."

The bill, with the amendment, was referred to the committee on agriculture and commerce.

SENATE BILLS ON FIRST READING.

The senate bill—

s. B. 178. To amend section one of an act entitled an act

to prevent the sale or otherwise disposing of spirituous, malt or vinous liquors within three miles of McKenzie's church, in Monroe county, and within the beat known as Harrell's Cross Roads, in the county of Dallas, approved March 18, 1875;

S. B. 193. To prevent the hiring of convicts sentenced to penitentiary imprisonment, to their relatives or other persons therein named;

S. B. 197. To prescribe the time in which prosecutions for certain offenses, therein named, may be commenced;

S. B. 158. To incorporate the North Alabama Mining and Manufacturing Company;

S. B. 183. To provide for keeping the session acts of the general assembly of Alabama, the supreme court reports, Smith's Condensed Reports, and Brickell's Digest, furnished by the State to each county, in the court-room during the session of court, and in the probate office, or bar library, at all other times;

H. B. 185. Joint resolution requiring the State printer to publish copy of new constitution of this State with the acts of the present session of the general assembly;

S. B. 182. To empower the courts of county commissioners to levy a special tax for the purpose of building court houses or jails, or for the improvement of the same;

Were severally read once and ordered to a second reading on to-morrow.

The house concurred in the senate amendment to the bill—

H. B. 147. To prescribe the mode of giving notice as required under article four, section twenty-four, of the constitution.

Yeas 70, nays 2.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bennett, Betts, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Crews, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kirkland, Lee, Locke, Maples, Nelson, Price, Reese, Reid, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—70.

Those who voted nay are—

Messrs. Martin and Mathews—2.

Also, concurred in the senate amendment to the bill—

H. B. 45. To provide for the payment of costs in criminal cases, in which prosecutions are abated by reason of the death of defendants.

Yeas 71, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bennett, Betts, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Cashin, Chambers, Clements, Crews, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—
71.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced—

By Mr. Greene of Jefferson—

H. B. 294. To so change the boundary line between the counties of Jefferson and Shelby as to annex a portion of Shelby county to Jefferson county.

By Mr. Herman—

H. B. 295. To regulate the taxes to be paid by wounded soldiers of the war between the States for the privilege of peddling in the State of Alabama.

By Mr. Greene of Lee—

H. B. 296. To provide for the election of justices of the peace and constables, and to regulate their term of office.

Also,

H. B. 297. To fix the term of office of notaries public.

By Mr. Betts—

H. B. 298. To incorporate the North Alabama Immigration Aid Society.

By Mr. Huey—

H. B. 299. To provide for and extend the time for the redemption of lands sold for taxes, where purchased by individuals.

By Mr. Wood of Talladega—

H. R. 300. Joint resolution to amend the constitution by

striking out section seven of article 14, relating to the waiver of the right of exemption.

By Mr. Stribling—

H. B. 301. To amend an act to create a lien in favor of the owners of stallions or jacks for the amount of the season for such stallion and jack.

By Mr. Stallworth—

H. B. 302. To revive and keep in full force chapter nine, title nine, part first, of the Revised Code, in reference to solicitors.

Which bills were severally read once and ordered to a second reading on to-morrow.

The bill—

H. B. 285. Joint resolution to amend the constitution, so as to prohibit the general assembly from establishing inferior courts of law and equity;

Was read the second time, and on motion of Mr. Brown, was laid on the table;

Yeas 52, nays 24.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Bennett, Betts, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Maples, Nelson, Price, Prowell, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Troup, Wharton, Wilson and Woolf—52.

Those who voted nay are—

Messrs. Allen, Baldwin, Blevins, Boyd, Bozeman, Brantley, Cashin, Cook, Coon, Fagan, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Mathews, Reese, Reid, Sims, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—24.

Mr. St. John offered the following resolution, which was adopted:

Resolved, That the committee on the State capitol be and is hereby instructed to inquire into and ascertain what repairs, if any, are required to protect it from injury, and to report by bill or otherwise.

REPORTS FROM COMMITTEES.

Mr. Price, from the committee on local legislation, reported favorably, with amendments, to the bill—

H. B. 49. To establish the southern chancery division, and to arrange the courts by districts in the same.

Amend as follows:

First amendment. Strike out the words "Clarke and Washington" in section one.

Second. Strike out sub-division three, of section two, and insert in lieu thereof the following: "For the third district, at Greenville, in Butler county, on the eighth Monday after the third Monday in February and August, and may continue one week each term.

The amendments were severally adopted, the bill was read the third time and passed;

Yeas 64, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Betts, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Cockrell, Crews, Dillon, Espy, Fagan, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lee, Locke, Maples, Martin, Mathews, Nelson, Price, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—64.

The title was amended so as to read:

H. B. 49. A bill to be entitled an act to arrange the courts by districts in the southern chancery division.

REPORTS FROM COMMITTEES CONTINUED.

Mr. Price, from same committee, reported favorably to the bill—

H. B. 261. To repeal an act in relation to trials of misdemeanors in Tuscaloosa and other counties therein named, so far as the same relates to Washington county;

Which bill was read the third time and passed;

Yeas 65, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barnett, Barron, Betts, Blevins, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Coon, Crews, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris

of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lee, Locke, Maples, Martin, Nelson, Price, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—65.

Mr. Mathews voted nay.

Also, favorably to the bill—

H. B. 257. To amend section two of an act to amend the proceedings in the city court of Mobile, approved February 16, 1854;

Which bill was read the third time and passed;

Yeas 53, nays 11.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Betts, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cook, Crews, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lee, Locke, Maples, Martin, Nelson, Price, Prowell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, St. John, Straughn, Stribling, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—53.

Those who voted nay are—

Messrs. Blevins, Boyd, Brantley, Cockrell, Harris of Perry, Lewis, Matthews, Reese, Reid, Witherspoon and Wynne—11.

Also, favorably, with amendments, to the senate bill—

s. B. 27. To amend section 12 of an act to establish a new charter for the town of Union Springs, Bullock county, Alabama, approved March 1, 1870.

Amend by striking out all after the words Section 12. Be it further enacted, "2d page of engrossed bill, down to the word "thereof," and including said word in 40th line, 2d page, and insert the following in lieu thereof, that the said town council shall have power and authority to assess, levy and collect annually, within its limits, all the revenues necessary for its government, as follows: On all real estate and personal property they shall have the right to levy a tax not to exceed one half of one per centum, on the value of such property assessed for State taxation during the preceding year; Provided, That for the payment of debts existing at the time of the ratification of the present constitution of the State of Alabama, and the interest thereon, an additional rate of not exceeding one per centum may be collected, to be applied exclusively to the payment of such indebtedness;

The amendment was adopted, and the bill read the third time and passed—yeas 62, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Bennett, Betts, Bliss, Bonner, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Lee, Lewis, Locke, Nelson, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Troup, Wharton, Wood of Marengo, Woolf and Wynne—62.

Mr. Betts, from the committee on accounts and claims, reported favorably to the senate bill—

s. B. 148. To pay Joe Baumer for articles furnished the senate chamber. Yeas 61, nays 10.

Those who voted yea are—

Messrs. Speaker, Allen, Andrews, Baldwin, Barnett, Barron, Bliss, Bonner, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Clements, Coon, Dillon, Espy, Fagan, Farriss, Fielder, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Nelson, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Sims, Stallworth, Stevens, St. John, Straughn, Stribling, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—61.

Those who voted nay are—

Messrs. Aldridge, Betts, Boyd, Chambers, Cockrell, Franklin, Huey, Smith of Franklin, Townsend and Wood of Marengo—10.

Also, favorably to the bill—

H. B. 253. For the relief of E. J. Robinson of St. Clair county;

Which bill was read the third time and passed—yeas 52, nays 8.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Betts, Bonner, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Crews, Dillon, Espy, Fielder, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey,

Jenkins, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Nelson, Prowell, Rice, Ross, Rousseau, Sims, Stevens, St. John, Straughn, Stribling, Troup, Witherspoon, Wood of Marengo, Woolf and Wynne—52.

Those who voted nay are—

Messrs. Bennett, Blevins, Bliss, Brantley, Cook, Cockrell, Franklin and Smith of Franklin—8.

Mr. Bonner, from the committee on public roads and highways, reported favorably, with amendment, to the bill—

H. B. 15. To provide for more efficiency in working public roads of Alabama.

Amend by striking out the words "\$20," and "\$40," where they occur in section two, and inserting in lieu thereof "\$10," and "\$20."

The amendment was adopted.

Mr. Betts moved to amend, by way of a substitute.

On motion of Mr. Lewis, the bill, with the amendment, was referred to a special committee of five, with Mr. Stallworth as chairman.

Committee—Messrs. Stallworth, Tate, Bonner, Betts and Farriss.

SPECIAL ORDER.

The hour of one o'clock having arrived, the house proceeded to the consideration of the special order for this hour, viz., the substitute, by way of amendment, of the senate, to the bill—

H. B. 128. To provide for the revision, digesting, and promulgation of the public statutes of this State of a general nature.

Mr. Price moved that the house do not concur, which motion carried, and the clerk was instructed to notify the senate of the action of the house.

Mr. Maples made the following

REPORT:

Mr. Speaker:

The majority of the committee on temperance, to which was referred the senate bill—

S. B. 156. To repeal an act to prohibit the sale, giving away, or otherwise disposing of any vinous, spirituous or malt liquors, or intoxicating bitters, or other intoxicating beverages,

within two miles of Walker's church, Bellevue precinct, in the county of Dallas,

Instruct me to report in favor of the passage of the bill.

In behalf of a minority of said committee, I herewith submit a minority report.

W. McC. MAPLES.

MINORITY REPORT.

Mr Speaker—

The minority of the committee, who have had under consideration the bill to prevent the sale of spirituous liquor within two miles of Walker's church, in Bellvue precinct, in Dallas county, have had the same under consideration, and beg leave most respectfully to submit the following reasons why said law should not be repealed.

First.—It is strongly represented in the petition of the land owners, and white citizens who reside in two miles of Walker's church, that this prohibition law, and the sundown law so-called, has had great effect in checking and lessening the crime of stealing and drunkenness, and the sale of farm products between sunset and sunrise.

Second.—The same petition of the land owners that are within two miles of Walker's church, strongly state, before the passage of the law, that they were greatly damaged by the sale of whisky and farm products in the night time.

Their farms were plundered and robbed of cotton, corn, poultry, hogs and cattle, to a great extent—and since the adoption of these laws, the white people and the colored people have been greatly benefited, and they have greatly improved in their condition and property.

Third.—The minority committee oppose the repeal of this law on general principles. It is bad policy to enact a law at one session, and before the law gets fairly into operation, it is repealed at the next session. We think the law should remain in force long enough to show that it is a good law or bad law before it is repealed.

Fourth.—The minority of your committee believe that this law should not be repealed simply to allow one man the privilege of selling whisky, when so many of the good people resist.

Fifth.—We believe there is no principle better established than the fact, that sale of whisky to the white and colored

people, in the main, is a great evil, and should be checked and stopped whenever it can be done.

L. M. WILSON,
J. C. KIRKLAND,
W. McC. MAPLES.

The majority and minority reports were received.

The bill was then ordered to a third reading forthwith, and read the third time and passed—yeas 56, nays 24.

Those who voted yea are—

Messrs. Allen, Andrews, Baldwin, Barnett, Barron, Bennett, Blevins, Bliss, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Espy, Fagan, Fielder, Gibson, Greene of Lee, Gullledge, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Jenkins, Jones of Russell, Lee, Lewis, Locke, Martin, Matthews, Price, Prowell, Reese, Ross, Rousseau, Stallworth, Stevens, Straughn, Stribling, Townsend, Wharton, Wood of Marengo, Wood of Talladega, Woolf and Wynne—56.

Those who voted nay are—

Messrs. Speaker, Aldridge, Betts, Bonner, Chambers, Far-riss, Franklin, Grant, Greene of Jefferson, Hamilton, Higgins, Huey, Kirkland, Maples, Nelson, Reid, Rice, Shepard, Sims, Smith of Franklin, St. John, Troup, Wilson and Wither-
spoon—24.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 27, 1876.

Mr. Speaker :

The senate has originated and passed the following bills :

s. B. 214. To amend section 23 of an act to regulate elections in the State of Alabama, approved March 3, 1875.

s. B. 207. To authorize executors and administrators to sell lands of the estates they represent, at private sale.

s. B. 200. To protect the citizens of this State in their civil liberties.

S. B. BREWER,
Secretary.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
January 27, 1876.*Mr. Speaker:*

The Governor has approved the following bill which originated in the house of representatives :

H. B. No. 4. An act to amend section 43 of an act entitled an act to regulate elections in the State of Alabama, approved March 3, 1875.

H. B. No. 190. An act to authorize the publication of legal advertisements in Sunday newspapers.

Respectfully,

L. R. DAVIS,
Private Sec'y.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following as correctly enrolled :

H. B. 147. To prescribe the mode of giving notice, as required under article four of section twenty-four, of the constitution.

H. B. 45. To provide for the payment of costs in criminal cases, in which prosecutions are abated by reason of death of defendants.

And the Speaker, in the presence of the house and immediately after the titles had been publicly read, signed said bills.

On motion of Mr. Baldwin, the house adjourned until to-morrow morning, 10 o'clock.

TWENTY-SEVENTH DAY.

FRIDAY, January 28, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bennett, Blevins, Bliss, Bonner, Boyd, Brewer,

Baker, Brantley, Brown, Chambers, Clements, Cook, Cockrell, Crews, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Herman, Holloway, Huey, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne.

The journal of yesterday was read and approved.

Leave of absence was granted Messrs. Boyd and Stevens for five days, on account of urgent business. Messrs. Gilmer of Montgomery, one day, Jenkins until Monday, Carson until Monday, Bozeman two days and Fagan until Monday, on account of sickness in their families.

BILLS ON SECOND READING.

H. B. 302. To revive and keep in full force chapter 9, title 9, part first of the Revised Code, in reference to solicitors.

H. B. 301. To amend an act to create a lien in favor of the owners of stallions or jacks for the amount of the season of such stallion or jack.

H. B. 297. To fix the term of office of notaries public.

H. B. 296. To provide for the election of justices of the peace and constables, and to regulate their term of office.

And the senate bills—

S. B. 183. To provide for the keeping of the session acts of the general assembly of Alabama, the supreme court reports, Smith's Condensed Reports, and Brickell's Digest, furnished by the State to each county, in the court room, during the session of court, and in the probate office or bar library at all other times.

S. B. 193. To prevent the hiring of convicts sentenced to the penitentiary to their relatives or other persons therein named.

S. B. 197. To prescribe the time in which prosecutions for certain offenses therein named may be commenced;

Were severally read the second time and referred to the committee on the judiciary.

The bill—

H. B. 295. To regulate the taxes to be paid by wounded soldiers of the war between the States, for the privilege of peddling in the State of Alabama;

Was read the second time and referred to the committee on ways and means.

The bill—

H. B. 294. To so change the boundary line between the counties of Jefferson and Shelby as to annex a portion of Shelby to Jefferson county;

Was read the second time and referred to the committee on county and county boundaries.

The bill—

H. B. 299. To provide for and extend the time for the redemption of land sold for taxes, where purchased by individuals;

Was read the second time and referred to the committee on finance.

The bill—

H. B. 300. Joint resolution to amend the constitution by striking out section 7 of article 14, relating to the waiver of the right of exemption;

Was read the second time and referred to the special joint committee on the constitution.

The bill—

H. B. 298. To incorporate the North Alabama Immigration Aid Society.

And the senate bill—

S. B. 158. To incorporate the North Alabama Mining and Manufacturing Company;

Were severally read the second time and referred to the committee on corporations.

The senate bill—

S. B. 182. To empower the court of county commissioners to levy a special tax for the purpose of building court houses or jails, or for the improvement of the same;

Was read the second time and referred to the committee on local legislation.

The senate bill—

S. B. 185. Joint resolution requiring the State printer to publish copy of new constitution of this State with the acts of the present session of the general assembly;

Was read the second time and referred to the committee on public printing.

The senate bill—

S. B. 178. To amend section one of an act to prevent the sale or otherwise disposing of spirituous, malt or vinous liquors within three miles of McKenzie's Church, in Monroe

county, and within the beat known as Harrell's Cross Roads, in the county of Dallas, approved March 18, 1875 ;

Was read the second time and referred to the committee on temperance.

On motion of Mr. Stallworth, the vote by which the bill—
H. B. 290. To limit and define taxation for county purposes ;

Was referred to committee on ways and means, was reconsidered, and the bill referred to the committee on finance.

SENATE BILLS ON FIRST READING.

The senate bills—

S. B. 200. To protect the citizens of this State in their civil liberties.

S. B. 214. To amend section 23 of an act to regulate elections in the State of Alabama, approved March 3, 1875.

S. B. 207. To authorize executors and administrators to sell lands of the estates they represent at private sale ;

Were severally read once and ordered to a second reading on to-morrow.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced—

By Mr. Grant (with notice, &c.)—

H. B. 303. To establish a board of revenue for Wilcox county.

Also (with notice, &c.)—

H. B. 304. To make Solomon H. Bean, a citizen of Cleburne county, a citizen of Calhoun county.

Also—

H. B. 305. To repeal section 149 of the Revised Code.

By Mr. Franklin—

H. B. 306. To change and define the line between the counties of DeKalb and Cherokee.

By Mr. Higgins—

H. B. 307. To prevent scalage in weighing cotton bales, and also require cotton bales to be weighed on scales having one pound notches.

By Mr. Chambers—

H. B. 308. To establish a court of county revenue for Dallas county.

By Mr. Wood of Talladega—

H. B. 309. To distribute to the federal judges and district

attorneys for Alabama, copies of the acts of the general assembly, the Revised Code, Brickell's Digest, and the Alabama Reports, the same as to the officers of the State ;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Tate offered the following resolution, which was adopted :

Resolved, That the committee on State capitol be instructed to enquire into the propriety of setting out shade trees on the capitol grounds, and report by bill or otherwise.

REPORTS FROM COMMITTEES.

Mr. Woolf, from the judiciary committee, reported favorably to the bill—

H. B. 211. To establish and regulate an additional term of the chancery court for the third district (composed of Marengo county) of the western chancery division ;

Which bill was read the third time and passed—yeas 63, nays 3.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barron, Bell, Betts, Blevins, Bliss, Bonner, Bozeman, Brewer, Brantley, Brown, Cashin, Chambers, Clements, Cook, Coon, Crews, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Gullledge, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jones of Russell, Kirkland, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—63.

Those who voted nay are—

Messrs. Cockrell, Witherspoon and Wood of Marengo—3.

Also, favorably to the bill—

H. B. 214. To amend section 3522 of the Revised Code ;

Which bill was read the third time and passed—yeas 65, nays 5.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Bell, Betts, Bliss, Bonner, Boyd, Bozeman, Brewer, Brantley, Brown, Chambers, Clements, Cook, Coon, Crews, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of

Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lee, Locke, Maples, Martin, Nelson, Price, Prowell, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega and Woolf—65.

Those who voted nay are—

Messrs. Cockrell, Matthews, Reese, Witherspoon and Wynne—5.

Also, favorably, with an amendment, to the bill—

H. B. 144. To establish the city court of Selma;

The amendment being a substitute for section eleven.

Mr. Blevins moved to lay the amendment on the table.

Lost—yeas 14, nays 58.

Those who voted yea are—

Messrs. Allen, Baldwin, Blevins, Boyd, Bozeman, Cashin, Franklin, Harris of Dallas, Lee, Locke, Martin, Matthews, Reese and Wynne—14.

Those who voted nay are—

Messrs. Aldridge, Andrews, Barnett, Barron, Bell, Betts, Bonner, Brewer, Brantley, Brown, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Espy, Farriss, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Russell, Kirkland, Maples, Nelson, Price, Prowell, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega and Woolf—58.

The amendment was adopted.

Mr. Betts called for the previous question, and the call was sustained.

The bill was then read the third time and passed—yeas 44, nays 33.

Those who voted yea are—

Messrs. Speaker, Andrews, Barnett, Barron, Bonner, Brewer, Brown, Chambers, Clements, Crews, Dickson, Dillon, Espy, Farriss, Fielder, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Maples, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wilson and Woolf—44.

Those who voted nay are—

Messrs. Allen, Aldridge, Baldwin, Bennett, Blevins, Bliss, Boyd, Brantley, Cashin, Cook, Coon, Cockrell, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, Reese, Reid, Shepard, Sims, Wharton, Witherspoon, Wood of Marengo, Wood of Talladega and Wynne—32.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
January 28, 1876. }

Mr. Speaker :

The Governor has approved the following bills which originated in the house of representatives :

H. B. 45. An act to provide for the payment of costs in criminal cases in which prosecutions are abated by reason of the death of defendants.

H. B. 147. An act to prescribe the mode of giving notice, required under article four, section twenty-four, of the constitution.

Respectfully,

IKE H. VINCENT,
Secretary.

Also, the following message, by the hands of Mr. Vincent, Recording Secretary:

EXECUTIVE DEPARTMENT,
January 27, 1876.

Gentlemen of the Senate and of the

House of Representatives of the State of Alabama :

I have the honor to transmit herewith a copy of an agreement upon a compromise entered into by the Superintendent of Public Instruction and Hon. L. R. Smith, one of the sureties on the official bond of William J. Gilmore, late superintendent of public schools in Choctaw county, under an act of the general assembly, approved December 17, 1873.

Very respectfully,

GEO. S. HOUSTON,
Governor of Alabama.

SIGNING BILL.

The speaker, in the presence of the house, and immediately after the title had been publicly read, signed the senate bill—

B. B. 156. To repeal an act to prohibit the sale, giving away or otherwise disposing of any vinous, spirituous or malt liquors, or intoxicating bitters, or other intoxicating beverages, within two miles of Walker's church, in the county of Dallas.

On motion of Mr. Cockrell, the house adjourned until tomorrow morning, 10 o'clock.

 TWENTY-EIGHTH DAY.

SATURDAY, January 29, 1876.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Falkner.

On the call of the roll, the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Coon, Cockrell, Crews, Dickson, Dillon, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, Nelson, Prowell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—67.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Huey, five days, Bennett, until Monday, on account of sickness in their families; Price, until Monday, on account of urgent business; Rabby, five days, Billups, three days, on account of sickness.

BILLS ON SECOND READING.

The bills—

H. B. 303. To establish a board of revenue for Wilcox county;

H. B. 305. To repeal section 149 of the Revised Code;

H. B. 308. To establish a court of county revenue for Dallas county;

H. B. 309. To distribute to the Federal judges and district attorneys for Alabama, copies of the Acts of the General Assembly, the Revised Code, Brickell's Digest, and the Alabama Reports, the same as to the officers of the State;

And the senate bills—

s. B. 200. To protect the citizens of the State in their civil liberties.

s. B. 207. To authorize executors and administrators to sell lands of the estate they represent, at private sale;

Were severally read the second time, and referred to the committee on the judiciary.

The bills—

H. B. 304. To make Solomon H. Bean, a citizen of Cleburne county, a citizen of Calhoun county.

H. B. 306. To change and define the line between the counties of DeKalb and Cherokee;

Were severally read the second time and referred to the committee on counties and county boundaries.

The bill—

H. B. 307. To prevent scalage in weighing cotton bales, and also to require cotton bales to be weighed on scales having one pound notches;

Was read the second time and referred to a special committee of three.

Committee: Higgins, Brewer and Stallworth.

The senate bill—

s. B. 214. To amend section 23 of an act to regulate elections in the State of Alabama, approved March 3, 1875;

Was read the second time and referred to the committee on privileges and elections.

THE GOVERNOR'S MESSAGE.

The Governor's message in regard to the compromise of the superintendent of education with the bondsmen of Wm. J. Gilmore, a defaulting county superintendent, was referred to the committee on education, with instructions to report by bill or otherwise.

On motion of Mr. Greene, of Lee, the vote by which the senate bill—

s. B. 129. For the appointment and compensation of special chancellors in certain cases;

Was referred to the committee on fees and salaries, was reconsidered and the bill referred to the judiciary committee.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced :

By Mr. Woolf—

H. B. 310. To dispose of the lands of the State of Alabama acquired by non-payment of taxes thereon.

By Mr. Brown—

H. B. 311. For the relief of certain tax-payers in this State.

By Mr. Crews—

H. B. 312. For the relief of James L. Pugh, and to pay him for services rendered the State as an attorney.

By Mr. Brown—

H. B. 313. To prevent the destruction of deer, birds and fish in the State of Alabama.

By Mr. Jones of Russell—

H. B. 314. To amend an act approved December 18, 1874, entitled an act to make it lawful for the sheriffs of Marion and other counties therein named, to serve processes issued by justices of the peace.

By Mr. Mitchell—

H. B. 315. To restrain the different counties of this State from issuing bonds to pay the back indebtedness of the counties.

Also,

H. B. 316. Requiring all officers to pay over monthly, the moneys collected by them belonging to the county.

Also,

H. B. 317. To regulate the fees of registers on days of election.

Also,

H. B. 319. In relation to the fees of jurors and bailiffs in the different counties in this State.

Also, (with petition of the board of revenue of Montgomery),

H. B. 320. For the relief of Montgomery county, authorizing the collection of taxes due said county in currency ;

Which bills were severally read once and ordered to a second reading on to-morrow.

By Mr. Clements—

H. B. 321. Joint memorial to the congress of the United States in relation to the University of Alabama ;

Which was read and adopted.

Mr. Hamilton, from special committee, reported favorably, with amendment, to the

H. B. 162. To fix the times of holding the circuit courts in the third judicial circuit of this State.

Amend by striking out the word "three," in fourth line, page 2, section 1, and inserting in lieu thereof the word "two." Also, strike out the word "fifth," in sixth line, same page and section, and insert "fourth."

The amendments were adopted, and the bill read the third time and passed—yeas 69, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beine, Bennett, Betts, Blevins, Bliss, Bonner, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Straughn, Tate, Townsend, Troup, Wharton, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—69.

REPORTS FROM COMMITTEES.

Mr. Woolf, from the judiciary committee, reported favorably to the senate bill, (with the amendment referred with the bill)—

S. B. 60. To authorize the warden of the penitentiary to sue in all cases for dues to the penitentiary either in the county of Elmore or of the residence of any defendant, as he may deem best.

The amendment was adopted, and the bill read the third time and passed—yeas 61, nays 6.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Betts, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Dickson, Dillon, Espy, Farriss, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Holloway, Jones of Russell, Kirkland, Lee, Locke, Martin, Matthews, Mitchell,

Nelson, Prowell, Purcell, Reese, Rice, Rousseau, Sims, Smith of Franklin, Stallworth, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—61.

Those who voted nay are—

Messrs. Barron, Bennett, Blevins, Bliss, Higgins and Maples—6.

Also, from same committee, favorably to the bill—

H. B. 212. To provide for the removal of certain causes from the chancery to the circuit courts, and to regulate the trial thereof.

Which bill was read the third time and passed—yeas 62, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Bennett, Betts, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Nelson, Prowell, Rousseau, Sims, Smith of Franklin, Stallworth, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—62.

Mr. Reese voted nay.

Also, from same committee, favorably to the senate bill—
s. B. 56. To amend section 3463 of the Revised Code;

Which bill was read the third time and passed—yeas 65, nays 2.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Betts, Bliss, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lee, Locke, Maples, Martin, Mathews, Nelson, Prowell, Purcell, Reese, Reid, Rousseau, Sims, Smith of Franklin, Stallworth, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—65.

Those who voted nay are—

Messrs. Bennett and Lewis—2.

Also, favorably to the senate bill—

s. B. 118. To authorize the Governor to issue patents to 16th section lands, heretofore sold by the trustees of the different townships in this State ;

Which bill was read the third time and passed—yeas 68, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Bennett, Betts, Blevins, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Greene of Jefferson, Gulledege, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Matthews, Nelson, Prowell, Purcell, Reese, Reid, Rice, Rousseau, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—68.

Also, favorably to the senate bill—

s. B. 71. To amend section 421 of the Revised Code ;

Which bill was read the third time and passed—yeas 68, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Bennett, Betts, Bliss, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Gulledege, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lewis, Locke, Maples, Martin, Mathews, Nelson, Prowell, Purcell, Reese, Reid, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—68.

Also, favorably to the senate bill—

s. B. 147. To carry into effect section 47 of article 4 of the constitution of Alabama.

On motion of Mr. Jones of Russell, the bill was recommended.

Also, favorably to the senate bill—

s. B. 116. To require county treasurers to cancel claims

against the general, or fine and forfeiture fund of any county which are paid into county treasuries ;

Which bill was read the third time and passed—yeas 69, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Bennett, Betts, Blevins, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Fagan, Farriss, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, Nelson, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—69.

Mr. Witherspoon voted nay.

Also, favorably to the bill—

H. B. 279. To secure costs in criminal cases where judgment is rendered against the accused, that he be sentenced to the penitentiary of the State for a term of years and not for life ;

Which bill was read the third time and passed—yeas 45, nays 28.

Those who voted yea are—

Messrs. Speaker, Andrews, Barron, Betts, Bonner, Brewer, Brown, Chambers, Clements, Crews, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Maples, Nelson, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf—45.

Those who voted nay are—

Messrs. Allen, Aldridge, Bennett, Blevins, Bliss, Baker, Brantley, Cashin, Cook, Coon, Cockrell, Fagan, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Mathews, Mitchell, Reese, Reid, Sims, St. John, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—28.

The title was amended by striking out the words "and not," and inserting in lieu thereof the word "or."

Also, favorably to the senate bill—

s. B. 117. To provide for the punishment of persons who shall post up or leave any obscene picture, placard, writing,

or printed matter about or near to any church, dwelling, academy or public highway.

And recommended that the house recede from its amendment, adopted on the 21st inst..

The report was concurred in, and the bill read the third time and passed—yeas 67, nays 4.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Barron, Bennett, Betts, Blevins, Bliss, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Gullett, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lee, Locke, Maples, Martin, Matthews, Nelson, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, St. John, Stribling, Tate, Townsend, Troup, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—67.

Those voted nay are—

Messrs. Brantley, Lewis, Witherspoon and Wynne—4.

Also, from same committee, reported a substitute for the bill—

H. B. 100. To abolish the court of county commissioners of Dallas county, as now organized, and to establish in said county another court of county commissioners.

The substitute being entitled an act to abolish the court of county commissioners of Dallas county.

On motion of Mr. Coon, the further consideration of the bill and the report was postponed and made the special order for Monday next, 12 m.

Mr. Stallworth, from special committee, reported a substitute for the bill (and the amendments offered and referred with the bill)—

H. B. 15. To provide for more efficiency in working public roads of Alabama.

The substitute being entitled an act to amend section 1353 (1169) of the Revised Code;

The substitute was adopted.

Mr. Aldridge moved to amend, by exempting Blount county from the operation of the act.

On motion of Mr. Lee, the amendment was laid on the table.

Mr. Farris moved to exempt the county of Winston.

Mr. Troup moved to exempt the county of Morgan.

Mr. Wynne moved to exempt the county of Hale.
 Mr. St. John moved to exempt the county of Marshall.
 Mr. Martin moved to exempt the county of Dallas.
 Mr. Franklin moved to exempt the county of DeKalb.
 Mr. Higgins moved to exempt the county of Jackson.
 Mr. Bennett moved to exempt the county of Sumter.
 Mr. Grant moved to exempt the county of Calhoun.
 Mr. Cook moved to exempt the county of Montgomery.
 Mr. Harris of Perry, moved to exempt the county of Perry.
 Mr. Wood of Marengo, moved to exempt the county of Marengo.

Mr. Sims moved to exempt the county of Talladega.

On motion of Mr. Andersen, (Mr. Clements in the chair,) the amendments were laid on the table—yeas 44, nays 30.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barron, Betts, Bonner, Brewer, Baker, Brown, Chambers, Clements, Coon, Crews, Dickson, Dillon, Espy, Fielder, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Heaton, Herman, Holloway, Jones of Russell, Maples, Mitchell, Nelson, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Straughn, Tate, Townsend, Wharton, Wilson, Witherspoon, Woolf and Wynne—44.

Those who voted nay are—

Messrs. Allen, Aldridge, Bennett, Blevins, Bliss, Brantley, Cashin, Cook, Cockrell, Fagan, Farriss, Franklin, Grant, Harris of Chambers, Harris of Dallas, Harris of Perry, Higgins, Lewis, Locke, Martin, Mathews, Reese, Reid, Sims, St. John, Troup, Wood of Marengo, Wood of Talladega, and Wynne—30.

Mr. Betts called for the previous question, which was sustained, and the bill was read the third and time and passed—yeas 46, nays 29.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barron, Betts, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Dickson, Dillon, Espy, Fielder, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Heaton, Herman, Holloway, Jones of Russell, Kirkland, Maples, Mitchell, Nelson, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Straughn, Tate, Townsend, Wharton, Witherspoon, Wood of Talladega, and Woolf—46.

Those who voted nay—

Messrs. Allen, Aldridge, Bennett, Blevins, Brantley, Cook,

Coon, Cockrell, Fagan, Farriss, Franklin, Grant, Harris of Dallas, Harris of Perry, Higgins, Lee, Lewis, Locke, Martin, Mathews, Reese, Reid, Shepard, Sims, St. John, Troup, Wilson, Wood of Marengo, and Wynne—29.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 29, 1876.

Mr. Speaker :

The senate has adopted the following

JOINT RESOLUTION :

Resolved by the House of Representatives, (the senate concurring,) That a joint committee of one on the part of the senate, and two upon the part of the house, be appointed to visit the asylum for the deaf, dumb and blind, and to report back to each house, all the information which may be acquired from an inspection of the internal management of said institution ;

Mr. Carmichael was appointed the committee on the part of the senate.

The senate has amended, as therein shown, and passed house bill—

H. B. 6. To constitute the city of Birmingham a separate school district, and for the regulation of the public schools therein.

The senate insists on its amendment to the house bill—

H. B. 128. To provide for the revision, digesting and promulgation of the public statutes of this State of a general nature.

The senate concurs in the house amendment to the senate bill—

S. B. 27. To amend section 12 of an act to establish a new charter for the town of Union Springs, Bullock county, Alabama, approved March 1, 1870.

The senate has originated and passed the following bills :

S. B. 228. To provide for the payment of the expenses of the joint committee of the two houses, appointed to investigate the facts relating to the alleged election of George E. Spencer, as United States senator.

S. B. 39. To transfer all causes now pending and undetermined in the several circuit courts of this State on the equity

side thereof, to the chancery court of the district, in which such causes are depending.

S. B. 225. To preserve the numbers of the acts of the respective houses of the general assembly.

S. B. 226. To authorize the Governor to negotiate temporary loans for the use of the State, as provided in section 3, article x, of the constitution.

S. B. 19. To repeal sections 1858, 1859 and 1860, of the Revised Code.

Respectfully,

S. B. BREWER,
Secretary.

On motion of Mr. Greene of Lee, the house proceeded to the consideration of the senate joint resolution, appointing a joint committee to visit the asylum for the deaf, dumb and the blind, etc.

Mr. Cashin moved to amend by adding the following:

And the said committee is hereby instructed to visit the Freedmens' hospital at Talladega, and shall report condition of the inmates thereof.

On motion of Mr. Woolf, the amendment was laid on the table—yeas 48, nays 27.

Those who voted yea are—

Messrs. Aldridge, Andrews, Betts, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Crews, Dickson, Dillon, Espy, Farriss, Fielder, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Maples, Nelson, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson and Woolf—48.

Those who voted nay are—

Messrs. Allen, Baldwin, Barron, Bennett, Blevins, Bliss, Brantley, Cashin, Cook, Coon, Fagan, Franklin, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, Mitchell, Reese, Reid, Sims, Witherspoon, Wood of Maringo, Wood of Talladega, and Wynne—27.

Mr. Matthews moved to lay the joint resolution on the table. Lost—yeas 7, nays 68.

Those who voted yea are—

Messrs. Bennett, Blevins, Bliss, Brantley, Harris of Dallas, Locke and Matthews—7.

Those who voted nay are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Betts, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lee, Lewis, Maples, Martin, Mitchell, Nelson, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—68.

The joint resolution was then adopted.

Committee on the part of the house—Messrs. Greene of Lee and Stallworth.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the senate bills—

s. B. 27. To amend section twelve of an act to establish a new charter for the town of Union Springs, Bullock county, Alabama, approved March 1, 1870.

s. B. 148. To pay Joe Baumer for articles furnished the senate chamber.

On motion of Mr. Allen, the house adjourned until Monday morning, ten o'clock.

TWENTY-NINTH DAY.

MONDAY, January 31, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson of the house.

On the call of the roll the following members answered to their names :

Mess. Speaker, Aldridge, Andrews, Baldwin, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cook, Cockrell, Crews, Dickson, Dillon, Espy, Farriss, Fielder, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Ham-

ilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Jones of Russell, Kirkland, Lewis, Locke, Martin, Matthews, Mitchell, Nelson, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega and Woolf—67.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Stribling, for four days, Maples, for five days, on account of urgent business; Greene of Lee, two days, and McDuffie, five days, on account of sickness.

Mr. Harris of Dallas asked leave of absence for Mr. Carson until Wednesday next, on account of sickness in his family.

The request was refused.

Mr. Blevins moved to reconsider the vote by which the request was refused.

On motion of Mr. Wood of Talladega, the further consideration of the motion was postponed until the arrival of Mr. Carson.

BILLS ON SECOND READING.

The bill—

H. B. 310. To dispose of the lands of the State of Alabama, acquired by non-payment of the taxes thereon;

Was read the second time and referred to the special joint committee on sale of lands sold for taxes.

The bill—

H. B. 311. For the relief of certain tax payers in this State;

Was read the second time and referred to the committee on finance, with instructions to report by to-morrow.

The bill—

H. B. 312. For the relief of James L. Pugh, and to pay him for services rendered the State as attorney;

Was read the second time and referred to the committee on the judiciary.

The bills—

H. B. 315. To restrain the different counties in this State from issuing bonds to pay the back indebtedness of the counties;

H. B. 316. Requiring all officers to pay over monthly the moneys collected by them belonging to the county;

H. B. 320. For the relief Montgomery county, authorizing the collection of taxes due said county in currency;

Were severally read the second time and referred to the committee on finance.

The bills—

H. B. 317. To regulate the fees of registers on days of elections;

H. B. 318. To regulate the fees pertaining to coroner's inquests;

H. B. 319. In relation to the fees of jurors and bailiffs in the different counties in this State;

Were severally read the second time and referred to the committee on fees and salaries.

The bill—

H. B. 314. To amend an act, approved December 18, 1874, entitled an act to make it lawful for the sheriffs of Marion and other counties therein named to execute processes issued by justices of the peace, &c.;

Was read the second time and referred to the committee on local legislation.

SENATE BILLS ON FIRST READING.

The senate bills—

S. B. 39. To transfer all causes now pending and undetermined in the several circuit courts of this State, on the equity side thereof, to the chancery court of the district in which such causes are depending;

S. B. 225. To preserve the numbers of the acts of the respective houses of the general assembly;

S. B. 226. To authorize the Governor to negotiate temporary loans for the use of the State, as provided in section 3, article 10, of the constitution;

S. B. 228. To provide for the payment of the expenses of the joint committee of the two houses appointed to investigate the facts relating to the alleged election of Geo. E. Spencer as United States Senator;

S. B. 19. To repeal sections 1858, 1859 and 1860 of the Revised Code;

Were severally read once, and ordered to a second reading on to-morrow.

The bill—

H. B. 313. To prevent the destruction of deer, birds and fish in the State of Alabama;

Was read the second time and referred to the committee on agriculture and commerce.

BUSINESS FROM THE SENATE.

The house concurred in the senate amendment to the bill—
H. B. 6. To constitute the city of Birmingham a separate school district, and for the regulation of the public school therein.

Yeas 64, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cook, Cockrell, Dillon, Espy, Fagan, Fielder, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lewis, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—64.

Nay—Mr. Bennett—1.

On motion of Mr. Price, a committee of conference was asked for on the senate amendment to the bill—

H. B. 128. To provide for the revision, digesting and promulgation of the public statutes of this State of a general nature;

Consisting of three on the part of the house and two on part of the senate. Committee on part of the house: Messrs. Price, Woolf and Billups.

REPORT FROM SPECIAL COMMITTEE.

Mr. Higgins, from special committee, reported favorably to the bill—

H. B. 307. To prevent scalage in weighing cotton bales, and also to require cotton bales to be weighed on scales having one pound notches;

Which bill was read the third time and passed—yeas 51, nays 8.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Bennett,

Billups, Bonner, Brewer, Baker, Cashin, Chambers, Clements, Cook, Dickson, Dillon, Espy, Fagan, Farriss, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lewis, Locke, Martin, Mitchell, Nelson, Price, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Tate, Townsend, Troup, Wharton, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf—51.

Those who voted nay are—

Messrs. Bliss, Brown, Cockrell, Fielder, Heaton, Matthews, Prowell and Wilson—8.

CALL OF THE COUNTIES.

On the call of the counties, bills were introduced—

By Mr. Andrews—

H. B. 322. To amend the first section of an act entitled an act to revise and amend an act to keep in each county of this State a proportional share of the public school money, approved March 19, 1875.

By Mr. Espy—

H. B. 323. To abolish offices of tax assessor and tax collector, and to provide for the collection of taxes.

By Mr. Matthews—

H. B. 324. To require certain qualifications of persons who apply for license to teach in the free public schools in this State.

By Mr. Tate—

H. B. 325. To make dogs personal property, within the meaning of the penal statutes of Alabama.

Also,

H. B. 326. To make dogs taxable property and to provide for the collection of such tax.

By Mr. Rousseau—

H. B. 327. To prevent burning of the woods and forest.

By Mr. Prowell—

H. B. 328. To provide for the partition of property, where a part thereof lies in more than one county.

By Mr. Rice (with notice, &c.)—

H. B. 329. To repeal an act to prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, within three miles of Locust Grove Baptist church, in Madison county.

By Mr. Mitchell—

H. B. 350. To provide for the raising of revenue for the payment of the current yearly expenses and for the payment of the back debt of the several counties of this State.

Also,

H. B. 331. To repeal an act entitled an act to compel the courts of county commissioners of this State to carry into effect the provisions of chapter 3, part 4, title 2, of the Revised Code, providing for hard labor for the county, approved March 8, 1875.

By Mr. Harris, of Perry—

H. B. 333. To prescribe the order of business of the circuit courts of the State of Alabama.

By Mr. Clements—

H. B. 334. To authorize and require the secretary of State to deliver to the president of the University of Alabama, certain books therein named.

Also,

H. B. 335. To incorporate the Grand Lodge of Independent Order of Good Templars of the State of Alabama, and the subordinate lodges under its jurisdiction.

By Mr. Wharton—

H. B. 336. To regulate the collection of debts where the right of exemption has been waived.

Also,

H. B. 337. To require parties to give notice in cases where the right of exemption on property is waived the second time.

Also,

H. B. 338. To regulate the fees of judges of probate in the State of Alabama.

By Mr. Wilson (with notice, &c.)—

H. B. 339. To repeal so much of an act to prohibit the sale of vinous, spirituous or intoxicating liquors within five miles of certain churches in Cherokee county, and Wilsonville and Harpersville in Shelby county, as relates to Harpersville in Shelby county.

By Mr. Crews—

H. B. 240. To provide for maimed soldiers who have not heretofore been furnished with artificial limbs or received money in lieu thereof;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Wharton offered the following joint resolution:

Resolved by the House of Representatives (the Senate concur-

ring), That a committee of two members on the part of the house and one on the part of the senate, be appointed to visit the Insane Hospital at Tuscaloosa, and report to the two houses of the general assembly the practical and beneficial operations of that institution, its progress, state and condition generally.

Mr. Matthews moved to amend by adding the following: "and that said committee be instructed to visit the Freedmen's Hospital at Talladega."

Mr. Rice made the point of order, that there was no such institution in existence as the Freedmen's Hospital at Talladega.

The chair decided that the point of order was well taken.

Mr. Witherspoon appealed from the decision of the chair.

The decision of the chair was sustained.

Mr. Mathews moved to lay the resolution on the table;

Lost.

And the resolution was not adopted.

REPORTS FROM COMMITTEES.

Mr. Price, from the committee on local legislation, reported favorably to the senate bill—

S. B. 176. To detach the chancery district, composed of the county of St. Clair, from the middle chancery division, and attach the same to the northern chancery division;

Which bill was read the third time and passed;

Yeas 51, nays 9.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Bell, Bennett, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kirkland, Lewis, Mitchell, Nelson, Price, Prowell, Rice, Rousseau, Shepard, Smith of Franklin, Stallworth, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, and Woolf—51.

Those who voted nay are—

Messrs. Blevins, Cockrell, Harris of Dallas, Harris of Perry, Locke, Mathews, Reid, Sims and Witherspoon—9.

Mr. Stallworth, from the committee on corporations, reported favorably to the bill—

H. B. 274. To establish a general incorporation law for the

purpose of organizing mining, manufacturing, immigration or industrial companies in this State.

Mr. Greene of Jefferson, moved to amend as follows:

After the word "business," in line three of section eleven, add the following: "Provided such meeting shall be in the State, and as near as convenient to the seat of operations of the corporations."

On motion of Mr. Price, the further consideration of the bill was postponed until 1 p. m., to-morrow, and made the special order for that hour.

Also, favorably to the bill—

H. B. 196. To provide for incorporating temperance and other societies, associations and orders.

Mr. Woolf moved to amend by striking out all that part of section six which authorizes persons other than officers and employees to be served with process.

The bill, with the amendment offered, was recommitted to the judiciary committee.

SPECIAL ORDER.

The hour of 12 o'clock having arrived, the house proceeded to the consideration of the special order for this hour, it being the substitute reported by the judiciary committee for the bill—

H. B. 100. To abolish the court of county commissioners of Dallas county, as now organized, and to establish in said county another court of county commissioners.

The substitute to be entitled,

H. B. 100. An act to abolish the court of county commissioners of Dallas county.

The substitute was adopted.

On motion of Mr. Blevins, the further consideration of the bill was postponed, and made the special order for 12 m., to-morrow.

Mr. Brewer, from the special joint committee on revenue, made the following report:

Mr. Speaker:

The joint committee on the revenue bill, to which was referred all matters connected with raising revenue, have investigated the matters referred to them, and have instructed me to report a bill entitled

H. B. 341. An act to establish a revenue code for the State of Alabama, and recommend the passage thereof.

L. BREWER,
Acting Chairman.

The bill—

H. B. 341. Reported by the committee, was then read once, and ordered to a second reading on to-morrow.

On motion of Mr. Woolf, 100 additional copies of the revenue code were ordered printed, provided the type had not been distributed.

By leave, Mr. Wilson, from the committee on temperance, reported favorably to the bill—

H. B. 271. To prohibit the sale of vinous or spirituous liquors within eight miles of the court house at St. Stephens, in Washington county;

Which bill was read the third time and passed—yeas 44, nays 13.

Those who voted yea are—

Messrs. Speaker, Allen, Baldwin, Barron, Bliss, Bonner, Brown, Cook, Coon, Crews, Dickson, Dillon, Farriss, Fielder, Gibson, Gilmer of Lawrence, Grant, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Kirkland, Lee, Mitchell, Nelson, Price, Purcell, Reese, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, St. John, Straughn, Stribling, Troup, Wharton, Wilson and Woolf—44.

Those who voted nay are—

Messrs. Aldridge, Bennett, Billups, Cashin, Cockrell, Sims, Martin, Mathews, Reid, Stallworth, Witherspoon, Wood of Marengo, and Wynne—13.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
January 31, 1876.

Mr. Speaker:

The senate has originated and passed the following bill:

S. B. 244. To authorize and require the Governor and Treasurer to retire and destroy the obligations of the State, issued under the provisions of an act to provide for the funding of the domestic debt of this State, approved December 19th, 1873, to the extent and in such sums annually as the condition of the treasury will allow without injury to the public interests.

And has passed house bill:

H. B. 104. To repeal an act entitled an act for the encouragement of mining, manufacturing, industrial, mechanical and commercial pursuits within the State of Alabama, approved April 23, 1873.

And has amended, as therein shown, and passed house bill—

H. B. 142. To incorporate the Marengo Manufacturing Company.

The senate has adopted the following joint resolution:

Resolved by the senate and house of representatives, That the secretary of the senate, and the clerk of the house of representatives, be required to certify to the Governor the names of the several persons who have been elected by the general assembly to the office of solicitors of the several judicial circuits of this State.

Respectfully,

S. B. BREWER,
Secretary,

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following as correctly enrolled:

H. B. 104. To repeal an act entitled an act for the encouragement of mining, manufacturing, industrial, commercial and mechanical pursuits, within the State of Alabama, approved April 23, 1873.

H. B. 6. To constitute the city of Birmingham a separate school district, and for the regulation of the public schools district, and for the regulation of the public schools therein.

And the speaker in the presence of the house, and immediately after the bills had been publicly read, signed said bills.

On motion, the house adjourned until to-morrow morning 10 o'clock.

THIRTIETH DAY.

TUESDAY, February 1, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson, of the house.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Baldwin, Barnett, Beirne, Bennett, Betts, Billups, Bliss, Bonner, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dickson, Dillon, Espy, Fagan, Far-riss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Gullede, Hamilton, Harris of Cham-bers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirk-land, Lewis, Locke, Martin, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, St. John, Tate, Townsend, Troup, Wharton, With-erspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—72.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Blevins for three days, Andrews five days, and Jones of Pickens for five days, on account of sickness in their families, and to Mr. Baker for five days on account of sickness.

Mr. Woolf, from the committee on finance, reported favor-ably, with an amendment to the bill—

H. B. 311. For the relief of certain tax payers in this State.

Amend as follows: At the end of section two add, "pro-vided that the provisions of this act shall only apply to the taxes assessed for the year 1875, in the counties herein re-ferred to ;"

The amendment was adopted, and the bill read the third time and passed—yeas 59, nays 4.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Barnett, Beirne, Betts, Billups, Bonner Bozeman, Brewer, Brown, Chambers, Clements, Cockrell, Crews, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Gullede, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Jones of Russell, Kimmey, Lewis, Locke, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Tate, Townsend, Troup, Wharton, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—59.

Those who voted nay are—

Messrs. Bennett, Bliss, Brantley and Cook—4.

Mr. Chambers, from special committee, reported a substitute for the bill—

H. B. 176. To authorize probate judges in the several counties in this State, to order elections in certain cases relative to the abolition of fences.

The substitute being entitled :

An act to provide for the incorporation of fence districts in this State.

Mr. Townsend submitted the following

MINORITY REPORT :

Mr. Speaker—

I would respectfully beg leave to dissent from the majority of the special committee on the bill—

To authorize probate judges in the several counties in this State to order elections, in certain cases, relative to the abolition of fences.

JOHN M. TOWNSEND.

The substitute was adopted, and on motion of Mr. Lewis, the bill was laid on the table, 150 copies ordered printed, and its further consideration made the special order for 1 p. m., Monday next.

On motion of Mr. Price, the vote by which the bill—

H. B. 271. To prohibit the sale of vinous or spirituous liquors within eight miles of the courthouse at St. Stephens, in Washington county, passed on yesterday, and also the vote ordering the bill to a third reading, were reconsidered.

BILLS ON SECOND READING.

The bills—

H. B. 325. To make dogs personal property, within the meaning of the penal statutes of Alabama;

H. B. 327. To prevent the burning of the woods and forests;

H. B. 328. To provide for the partition of property, where a part thereof lies in more than one county;

H. B. 333. To prescribe the order of business of the circuit courts of the State of Alabama;

H. B. 335. To incorporate the Grand Lodge of Independent order of Good Templars of the State of Alabama, and the subordinate lodges under its jurisdiction;

H. B. 336. To regulate the collection of debts where the right of exemption has been waived;

H. B. 337. To require parties to give notice in cases where the right of exemption on property is waived the second time;

H. B. 338. To regulate the fees of judges of probate in the State of Alabama;

Were severally read the second time, and referred to the committee on the judiciary.

The bills—

H. B. 322. To amend the first section of an act entitled an act to revise and amend an act to keep in each county of this State a proportionate share of the public school money, approved March 19, 1875;

H. B. 324. To require certain qualifications of persons who apply for license to teach in the free public schools in this State;

H. B. 334. To authorize and require the secretary of State to deliver to the president of the University of Alabama, certain books therein named;

Were severally read the second time, and referred to the committee on education.

The bill—

H. B. 326. To make dogs taxable property, and to provide for the collection of such tax;

Was read the second time and referred to the committee on ways and means.

The bill—

H. B. 340. To provide for maimed soldiers who have not heretofore been furnished with artificial limbs or received money in lieu thereof;

Was read the second time, and referred to the committee on appropriations.

The bill—

H. B. 330. To provide for the raising of revenue for the payment of the yearly current expenses, and for the payment of the back debt of the several counties of this State ;

Was read the second time and referred to the committee on finance.

The bills—

H. B. 329. To repeal an act to prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors within three miles of Locust Grove Baptist church, in Madison county ;

H. B. 332. To amend an act to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, or intoxicating beverages, within three miles of Bethesda church, in Montgomery county, approved March 18th, 1875.

H. B. 339. To repeal so much of an act, entitled an act to prohibit the sale of vinous, spirituous and intoxicating liquors within five miles of certain churches in Cherokee county, and Wilsonville and Harpersville, in Shelby county, as relates to Harpersville, in Shelby county ;

Were severally read the second time and referred to the committee on temperance.

The bill—

H. B. 331. To repeal an act entitled an act to compel the courts of county commissioners of this State to carry into effect the provisions of chapter 3, part 4, title 2 of the Revised Code, providing for hard labor for the county, approved March 8, 1875 ;

Was read the second time and referred to the committee on the penitentiary.

The bill—

H. B. 323. To abolish the offices of tax assessor and tax collector, and to provide for the collection of taxes ;

Was read the second time and referred to a special committee of five.

Committee—Messrs. Chambers, Espy, Rice, Coon and Brewer.

The bill—

H. B. 341. To establish a revenue code for the State of Alabama ;

Was read the second time.

Mr. Betts moved that the bill be referred to the special joint committee on revenue.

Mr. Barnett moved that the bill be referred to the committee on ways and means.

The question being first put on referring to the committee on ways and means, was carried ;

And the committee was instructed to report at an early day as practicable.

SENATE BILLS ON SECOND READING.

The senate bills—

S. B. 19. To repeal sections 1858, 1859 and 1860 of the Revised Code.

S. B. 225. To preserve the numbers of the acts of the respective houses of the general assembly.

S. B. 39. To transfer all causes now pending and undetermined in the several circuit courts of the State, on the equity side thereof, to the chancery court of the district in which such causes are depending ;

Were severally read the second time and referred to the committee on the judiciary.

The senate bill—

S. B. 226. To authorize the Governor to negotiate temporary loans for the use of the State, as provided in section 3, article 10 of the constitution ;

Was read the second time and referred to the committee on finance.

The senate bill—

S. B. 228. To provide for the payment of the expenses of the joint committee of the two houses, appointed to investigate the facts relating to the alleged election of Geo. E. Spencer as United States senator ;

Was read the second time.

Mr. Cockrell moved to lay the bill on the table. Lost, and the bill was referred to the committee on appropriations.

The senate bill—

S. B. 244. To authorize and require the Governor and treasurer to retire and destroy the obligations of the State, issued under the provisions of an act to provide for the funding of the domestic debt of this State, approved December 19, 1873, to the extent and in such sums annually as the condition of the treasury will allow, without injury to the public interest ;

Was read once and ordered to a second reading on to-morrow.

The house concurred in the amendment of the senate to the bill—

H. B. 142. To incorporate the Marengo Manufacturing Company—yeas 61, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Bennett, Betts, Billups, Bliss, Bonner, Brewer, Brown, Chambers, Clements, Cook, Cockrell, Crews, Dillon, Espy, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Gullede, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Kimmey, Kirkland, Lee, Lewis, Locke, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—61.

The house concurred in the joint resolution of the senate requiring the secretary of the senate and clerk of the house to certify to the Governor the names of the several persons elected to the office of circuit solicitor of the several judicial circuits of this State.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced—

By Mr. Grant—

H. B. 342. To carry into effect section 24 of article one of the new constitution, so far as the same relates to the right of way over the lands of other persons or corporations.

Also, (with notice, &c., and statement of account)—

H. B. 343. For the relief of Charles Martin and A. Clark, composing the firm of Martin & Clark, in Calhoun county.

By Mr. Straughn—

H. B. 344. To repeal chapter 7, title 3, part 4 (proceedings in the county courts) of the Revised Code.

By Mr. Herman—

H. B. 345. To amend an act entitled an act to authorize probate judges to authorize elections to prohibit the disposal of vinous or spirituous liquors in certain cases.

By Mr. Jones of Russell—

H. B. 346. To authorize and require the commissioners' courts or boards of revenue, in the various counties in this State, to erect or cause to be erected, additional apartments to the jails when necessary.

By Mr. Dillon—

H. B. 347. To fix and regulate the terms of holding the circuit court in the counties of St. Clair and Calhoun, at the spring term, 1876, of said courts.

By Mr. Jenkins—

H. B. 348. To repeal an act entitled an act to allow the court of Wilcox county to levy a tax greater than fifty per cent., approved October 10, 1868.

Also—

H. B. 349. To require the board of county commissioners to give bond with security.

By Mr. Price—

H. B. 350. To enable married women, whose husbands are insane, or *non compos mentis*, to convey real estate ;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Allen offered the following joint resolution, which, on motion of Mr. Betts, was laid on the table :

Resolved by the house (the senate concurring,) That a joint committee of five, consisting of three on the part of the house and two on the part of the senate, be appointed to select a day for the general assembly to adjourn *sine die*.

By Mr. Wood of Talladega—

H. B. 351. Joint resolution to amend the constitution by striking out section 2 of article 7, in reference to the impeachment of specified offenses before the supreme court, and making them impeachable before the senate ;

Which was read once, and, on motion of Mr. Prowell, laid on the table.

Mr. Chambers offered the following resolution, which was adopted :

Resolved, That the committee on finance be instructed to inquire into the expediency of requiring tax payers to pay one-fourth of their State taxes in United States currency, and to report by bill or otherwise.

REPORTS FROM STANDING COMMITTEES.

Mr. Stallworth, from the committee on corporations, reported adversely to the bill—

H. B. 157. To amend section five of an act to amend the corporation laws of Alabama ;

Which was concurred in.

Also, from same committee, favorably to the bill—

H. B. 224. To amend the first section of an act to incorpo-

rate the town of Rockford, in the county of Coosa, approved March 20, 1875;

Which bill was read the third time and passed—yeas 57, nays 2.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Cook, Crews, Dillon, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Locke, Matthews, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo and Woolf—57.

Those who voted nay are—

Messrs. Bennett and Bliss—2.

Mr. Chambers, from the committee on federal relations, reported favorably to the

H. B. 12. Joint memorial to the congress of the United States, in relation to the public lands;

Which was adopted.

Mr. Brown, from the committee on counties and county boundaries, reported favorably to the bill—

H. B. 164. To amend section 900 of the Revised Code;

Which bill was read the third time and lost—yeas 7, nays 60.

Those who voted yea are—

Messrs. Brantley, Cook, Harris of Dallas, Higgins, Jones of Russell, Matthews and Witherspoon—7.

Those who voted nay are—

Messrs. Speaker, Allen, Aldridge, Barnett, Barron, Beirne, Bennett, Betts, Billups, Bliss, Bonner, Brewer, Brown, Cashin, Chambers, Clements, Cockrell, Crews, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Gullett, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Holloway, Jenkins, Kimmey, Kirkland, Locke, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo and Woolf—60.

Mr. Tate, from the committee on agriculture and commerce, reported adversely to the bill—

H. B. 277. To compel hunters of wild hogs and other animals to give public notice of the same.

On motion of Mr. Rice, the further consideration of the report was postponed, and made the special order for Tuesday next, at 1 p. m.

SPECIAL ORDER.

The hour of 12 o'clock having arrived, the house proceeded to the consideration of the special order for this hour, viz., the bill—

H. B. 100. To abolish the court of county commissioners of Dallas county;

Which bill was read the third time and passed—yeas 45, nays 24.

Those who voted yea are—

Messrs. Aldridge, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Crews, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kimmey, Kirkland, Price, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Troup, Wharton, Wilson and Woolf—45.

Those who voted nay are—

Messrs. Allen, Baldwin, Bennett, Bliss, Brantley, Cashin, Cook, Coon, Cockrell, Fagan, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Jenkins, Lee, Lewis, Locke, Martin, Matthews, Reese, Reid, Witherspoon, Wood of Marengo, Wood of Talladega and Wynne—24.

The house next proceeded to the consideration of the bill—

H. B. 274. To establish a general incorporation law for the purpose of organizing mining, manufacturing, immigration, or industrial companies in this State.

Mr. Stallworth moved to amend by striking out the words "actually paid up," at the end of seventh line, section ten, (printed bill,) and add the following: "Provided, in case the capital stock is all paid up, then such secured debt may be to the extent of such paid up stock."

And also amend section eleven, by inserting the words "in this State," between the words "annually" and "at," in line one.

The amendments were severally adopted.

Mr. Stallworth moved to amend as follows: In section fourteen, line eight, insert the word "subsequently" between the words "amount" and "collected." Also, between the words "law" and "less," in ninth line, insert the words "or other-

wise;" and after the word "balance," in ninth line, add the following: "when such costs and interests are paid by the company."

The amendments were adopted.

On motion of Mr. Chambers, the further consideration of the bill was postponed, and made the special order for 1 p. m. to-morrow.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 1, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 181. To amend section two of an act to repeal an act entitled an act to establish the city court for the county of Lee, with criminal and civil jurisdiction.

H. B. 105. To fix the time of holding the circuit courts of the county of Clarke, and regulate the practice therein, in certain cases.

Respectfully,

S. B. BREWER,
Secretary.

ENROLLED BILLS.

Mr. Fielder, from the committee on enrolled bills, reported the following correctly enrolled :

H. B. 181. To amend section two of an act to repeal an act entitled an act to establish a city court for the county of Lee, with criminal and civil jurisdiction.

H. B. 105. To fix the time of holding the circuit court of the county of Clarke, and to regulate the practice therein in certain cases.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the bills had been publicly read, signed said bills ; and also, the following senate bills :

s. B. 56. To amend section 3463 of the Revised Code.

s. B. 117. To provide for the punishment of persons who shall post up or leave any obscene picture, placard, and writ-

ten or printed matter about or near to any church, dwelling, academy, or public highway.

s. B. 118. To authorize the Governor to issue patents to 16th section lands, heretofore sold by the trustees of the different townships in this State.

s. B. 116. To require county treasurers to cancel claims against the general or fine and forfeiture fund of any county, which are paid into county treasuries.

s. B. 71. To amend section 421 of the Revised Code.

Mr. Woolf, from the committee on the judiciary, reported favorably, with amendments, to the senate bill—

s. B. 4. To execute the power of disposal of lands granted by an act of Congress, entitled "an act granting public lands in alternate sections to the State of Alabama to aid in the construction of certain rail roads in said State," approved June 3, 1856, which power of disposal is conferred upon the legislature of Alabama by said act of Congress ;

Amend by adding the following at the end of section 2.

"Provided, That nothing contained in this act shall be construed to avoid, or impair, any agreement or contract touching or relating to a future division of the lands donated by Congress by the acts of June 3, 1856, and other acts, to the State of Alabama, in aid of the construction of certain railroads in said State, which has heretofore been made between the South and North Alabama Railroad Company and the holders of the two millions of gold bonds of the State of Alabama, issued and loaned to the Alabama and Chattanooga Railroad Company in 1870, who have contracted with the State of Alabama for the acquisition of a title to or beneficial interest in the lands donated by the Congress of the United States to the Alabama and Chattanooga Railroad Company, subject to the ratification thereof by the General Assembly, or any agreement or contract touching or relating to a future division of said lands, which may be made between the said South and North Alabama Railroad Company and the said bondholders, within sixty days after said bondholders shall have acquired the title of the State or a beneficial interest in or to said lands or any part thereof."

Mr. Anderson (Mr. Clements in the chair) moved to postpone the further consideration of the bill and the amendment until Friday next, and made them the special order for 12 m.

Pending the consideration of which, on motion of Mr. Chambers, the house adjourned until to-morrow morning 10 o'clock.

THIRTY-FIRST DAY.

WEDNESDAY, February 2, 1876.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Nelson of the house.

On the call of the roll, the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Bliss, Bonner, Bozeman, Brewer, Brantley, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Martin, Mathews, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wharton, Witherspoon, Wood of Marengo and Woolf—76.

The journal of yesterday was read and approved.

The house next proceeded to the consideration of the bill—

H. B. 271. To prohibit the sale of vinous or spirituous liquors within eight miles of the court house at St. Stephens, in Washington county.

Mr. Anderson (Mr. Clements in the chair) moved to amend by adding at the end of section two the following: "Provided, The provisions of this act shall not apply to Clarke county."

The amendment was adopted, and the bill read the third time and passed—yeas 59, nays 8.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Barnett, Barron, Beirne, Billups, Bliss, Bonner, Bozeman, Brewer, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Dillon, Espy, Fagan, Farriss, Fielder, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kim-

mey, Kirkland, Locke, Mathews, Mitchell, Nelson, Price, Prowell, Reese, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Straughn, Townsend, Wilson and Woolf—59.

Those who voted nay are—

Messrs. Bennett, Betts, Franklin, Purcell, Reid, Troup, Wharton and Witherspoon—8.

BILLS ON SECOND READING.

The bills—

H. B. 342. To carry into effect section 24 of article one of the new constitution, so far as the same relates to the right of way over the lands of other persons or corporations ;

H. B. 344. To repeal chapter 7, title 3, part 4, (proceedings in the county courts) of the Revised Code of Alabama ;

H. B. 346. To authorize and require the commissioners courts or boards of revenue in the various counties in this State, to erect or cause to be erected additional apartments to the jails when necessary ;

H. B. 349. To require the court of county commissioners to give bond with security ;

H. B. 350. To enable married women whose husbands are insane, or *non compos mentis*, to convey real estate ;

Were severally read the second time, and referred to the committee on the judiciary.

The bills—

H. B. 343. For the relief of Charles Martin and A. Clark, composing the firm of Martin & Clark, in Calhoun county ;

H. B. 347. To fix and regulate the times of holding the circuit court in the counties of St. Clair and Calhoun, at the spring term of 1876 of said courts ;

H. B. 348. To repeal an act entitled an act to allow the court of Wilcox county to levy a tax greater than fifty per cent., approved October 10, 1868 ;

Were severally read the second time and referred to the committee on local legislation.

The bill—

H. B. 345. To amend an act entitled an act to authorize probate judges to authorize elections to prohibit the disposal of vinous or spirituous liquors in certain cases ;

Was read the second time and referred to the committee on temperance.

SENATE BILLS ON SECOND READING.

The senate bills—

S. B. 244. To authorize and require the Governor and treasurer to retire and destroy the obligations of this State, issued under the provisions of an act to provide for the funding of the domestic debt of this State, approved December 19th, 1873, to the extent and in such sums annually as the condition of the treasury will allow without injury to the public interest;

Was read the second time and referred to the committee on finance.

UNFINISHED BUSINESS.

The house next proceeded to the consideration of the question pending at the hour of adjournment on yesterday, it being the motion of Mr. Anderson to postpone until 12 m. Friday, and make special order for that hour, the senate bill and the amendment offered by the committee—

S. B. 4. To execute the power of disposal of lands granted by an act of congress, entitled an act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State, approved June 3d, 1856, which power of disposal is conferred upon the legislature of Alabama by said act of congress.

The motion was amended by substituting "Saturday" for "Friday," and as amended the motion prevailed.

Mr. Barnett, from the committee on ways and means, reported favorably, with amendments, to the bill—

H. B. 341. To establish a revenue code for the State of Alabama.

Mr. Barnett offered the following resolution:

Resolved by the house of representatives, That the consideration of the revenue bill be made the special order for the hour of 12 o'clock on Thursday next, and shall be considered from that hour until the close of the morning session, and shall be the special order for the same hour and for the same length of time, from day to day until disposed of, and that all special orders now set upon the journals for the particular hours hereby set for the consideration of the revenue bill, are postponed to a later day and shall come up in their regular order for consideration.

Mr. Chambers moved to amend by adding the following:

Provided, That any special order, set for particular hour,

shall have precedence of all other business except the revenue bill, and when such special order is superceded by the consideration of the revenue bill, it shall be resumed immediately after the consideration of the revenue bill.

The amendment was adopted.

And the resolution was not adopted.

On motion of Barnett, the further consideration of the bill was postponed until to-morrow, 12 m., and made the special order for that hour from day to day thereafter until disposed of.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced—

By Mr. Greene of Jefferson—

H. B. 352. To authorize the examinations of persons on trial or indictments for misdemeanors and felonies as witnesses.

By Mr. Woolf—

H. B. 353. To incorporate the Greensboro Guards, a volunteer military company.

Also—

H. B. 354. To repeal an act in relation to trials for misdemeanors in Tuscaloosa and other counties therein named, approved March 19, 1875, so far as the same relates to Dallas county.

By Mr. Price—

H. B. 355. To ratify and confirm the issue of certain bonds by the county of Mobile.

Also—

H. B. 356. To make all the general laws now existing, or which may be hereafter enacted, in reference to the several courts of county commissioners in this State applicable to all other county courts of like jurisdiction.

By Mr. Harris of Perry—

H. B. 357. To pay Mrs. Narcissa H. Heidt, administratrix of the estate of E. A. Heidt, deceased, for advertising lands in the county of Perry, in this State, to be sold for taxes.

By Mr. Jones of Russell—

H. B. 358. To require emigrant agents to take out license before doing business as such in this State.

By Mr. Wharton—

H. B. 359. To require county claims to be itemized and sworn to before allowance is made by the court of county commissioners and to provide for the filing of the same.

Also—

H. B. 360. To authorize the court of county commissioners of Walker county to levy a special tax to pay the indebtedness of said county ;

Which bills were severally read once and ordered to a second reading on to-morrow.

REPORTS FROM STANDING COMMITTEES.

Mr. Woolf, from the judiciary committee, reported favorably to the senate amendment to the bill—

H. B. 71. To repeal an act in relation to appeals from justices courts.

The report was received, and the amendment concurred in—yeas 53, nays 17.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Dickson, Dillon, Espy, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Gulledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf—53.

Those who voted nay are—

Messrs. Bennett, Bozeman, Brantley, Cashin, Cook, Cockrell, Fagan, Franklin, Harris of Dallas, Lee, Lewis, Locke, Martin, Mathews, Reid, Witherspoon, Wood of Marengo, and Wynne—17.

Also, favorably to the senate bill—

s. B. 35. To repeal an act to amend section 3470 of the Revised Code ;

Which bill was read the third time and passed—yeas 59, nays 7.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Barron, Beirne, Betts, Bliss, Bonner, Bozeman, Brewer, Brantley, Brown, Chambers, Clements, Cook, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Martin, Nelson, Price, Prowell, Purcell, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, St. John,

Straughn, Tate, Townsend, Troup, Wharton, Wilson and Woolf—59.

Those who voted nay are—

Messrs. Bennett, Cockrell, Mathews, Reese, Reid, Witherspoon and Wynne—7.

Also, favorably to the bill—

H. B. 252. To amend section 2860 of the Revised Code ;

Which bill was read the third time and passed—yeas 51, nays 18.

Those who voted yea are—

Messrs. Aldridge, Barnett, Barron, Beirne, Betts, Billups, Bonner, Bozeman, Brewer, Brown, Chambers, Clements, Crews, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Harris of Chambers, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lewis, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Woolf and Wynne—51.

Those who voted nay are—

Messrs. Baldwin, Bennett, Bliss, Cashin, Cook, Fagan, Gilmer of Montgomery, Gullledge, Hamilton, Harris of Dallas, Heaton, Lee, Locke, Martin, Mathews, Reese, Reid and Witherspoon—18.

Also, favorably, with amendment, to the senate bill—

s. B. 73. To prohibit the sale of lottery or gift enterprise tickets in this State.

Amend as follows: Between the words "lottery," and "shall," in fifth line of section one, insert the following: "Or who shall receive money or take an order for any lottery or gift enterprise ticket or tickets, or for any ticket in any scheme in the nature of a lottery, or who shall in any way act for or represent any other person or persons in dealing, or aiding in selling or disposing of any such ticket."

Amend further, by adding the following at the end of section 1: "and shall on conviction, be fined not less than one hundred nor more than two thousand dollars ;"

The amendment was adopted and the bill read the third time and passed—yeas 62, nays 3.

Those who voted yea are—

Messrs. Aldridge, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bliss, Bonner, Bozeman, Brewer, Brown, Carson, Chambers, Clements, Cook, Crews, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Jefferson, Gullledge, Hamil-

ten, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Locke, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Woolf and Wynne—62.

Those who voted nay are—

Messrs. Cockrell, Harris of Dallas, and Witherspoon—3.

Also favorably, with an amendment, to the bill—

H. B. 266. To prescribe the fees of the attorney general and his agents, for bringing suits and collecting money on notes given for school lands.

Amend as follows: Strike out all after the word "services," in 10th line of section 1;

The amendment was adopted, and the bill was read the third time and passed—yeas 65, nays 3.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bliss, Bonner, Bozeman, Brewer, Brown, Cashin, Chambers, Clements, Crews, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Martin, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Woolf and Wynne—65.

Those who voted nay are—

Messrs. Cockrell, Mathews and Witherspoon.—3.

Also, favorably to the bill—

H. B. 215. To amend sections 4363, 4368 and 4369 of the Revised Code, and otherwise regulate coroner's inquests;

Which bill was read the third time and passed—yeas 59, nays 2.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Beirne, Bennett, Betts, Billups, Bonner, Brewer, Brown, Carson, Chambers, Clements, Cook, Cockrell, Crews, Dillon, Espy, Farriss, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Mitchell, Nelson, Price,

Prowell, Purcell, Reese, Reid, Rice, Rousseau, Sims, Smith of Franklin, Straughn, Troup, Wharton, Wilson, Witherspoon, Woolf and Wynne—59.

Those who voted nay are—

Messrs. Speaker and Mathews.

Also, favorably with an amendment to the bill—

s. B. 247. To declare judges of the circuit and city courts of this State incompetent to preside, in certain cases, and to provide for the trial thereof.

Amend by striking out the last three lines of section 1;

The amendment was adopted, and the bill was read the third time and passed—yeas 56, nays 7.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bliss, Bonner, Brewer, Brown, Carson, Clements, Cook, Crews, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lewis, Locke, Nelson, Price, Prowell, Purcell, Rice, Rousseau, Smith of Franklin, Stallworth, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Woolf and Wynne—56.

Those who voted nay are—

Messrs. Bennett, Harris of Dallas, Lee, Martin, Mathews, Reese and Reid—7.

Also favorably, with amendments to the bill—

H. B. 158. To regulate the system of penal labor in the several counties in this State.

Amend as follows:

First.—Add the following at the end of section 2: "Provided, That the commissioners' court, in any county, shall have authority to reject one or all proposals, and when so rejected, or when no proposal has been received, the court of county commissioners shall be authorized to dispose of the convicts in their respective counties, in accordance with the laws now in force for the regulation of hard labor for the county."

Second.—After the word "physician," 6th line of section 4, add the following, "or at the will of the superintendent."

Third.—After the word "circuit," in third line of section 6, add the words "or county," and also in line two, section 5, strike out the words "on the first day of each month," and insert the words "or quarterly."

Fourth.—In fourth line, section 12, after the word “within,” strike out the word “five,” and insert “ten.”

Fifth.—At the end of the third line of section 9, add the following: “After first giving such superintendent at least five days notice of the cause of complaint against him, and giving him an opportunity to explain.”

Sixth.—At the end of section 16, add the following: “And that whenever in this act the judge of probate court, of county commissioners and county treasurer are named, that in the county of Montgomery and other counties having boards of revenue or other officers now controlling the convict labor of the county, the said boards of revenue, or other officers, shall be substituted for and shall perform the several duties required by this act, in the place and stead of said judge of probate court, and court of county commissioners and county treasurer;”

The amendments were severally adopted.

Mr. Betts moved to amend as follows: In second line of section 1, between the words “State,” and “on,” strike out the word “shall,” and insert “may.”

Pending the consideration of which, the hour of 1 o'clock having arrived, the house proceeded to the consideration of the special order for that hour, it being the bill—

H. B. 274. To establish a general incorporation law for the purpose of organizing mining, manufacturing, immigration, or industrial companies in this State.

The question pending being the amendment offered by Mr. Stallworth on yesterday, they were severally adopted.

Mr. Stallworth offered the following amendments:

1st. At the end of section 15, add the following: “and such corporation shall have the right to condemn, for the use of such road, the right of way in the lands over which the road may pass, on payment to the owner thereof just compensation; and the general laws applicable to writs *ad quod damnum* shall apply in all such cases.”

2d. In third line of section 16, between the words “corporation” and “whereby,” insert the words “organized under this act.”

The amendments were severally adopted.

Mr. Brewer offered the following amendment, which was adopted:

Strike out all of section 14 down to and including the word “balance,” in the ninth line, and insert the following: “Section 14. Be it further enacted, That said corporation shall

have a lien upon the stock of each stockholder for all amounts which may be due by him upon his subscription for stock, and in case of failure by him to pay within thirty days after the time appointed, any installment required to be paid on subscription, said corporation may, at its option, declare his stock and all money paid thereon, forfeited to the corporation, or may proceed to collect the amount due thereon by suit. If said stock be declared forfeited, said corporation may proceed and sell the same at public or private sale, and the purchaser thereof shall become the owner thereof, and shall hold the same subject to the terms of the original subscription"

Mr. Stallworth offered the following amendment: At the end of line 14, of section 14, add the following, "by giving notice as required in section 9 of this act."

Which, on motion of Mr. Anderson, (Mr. Smith of Franklin in the chair,) was laid on the table, and the bill was read the third time and passed—yeas 63, nays 8.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Bonner, Bozeman, Brewer, Brown, Carson, Cashin, Chambers, Clements, Crews, Dillon, Espy, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullede, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Lewis, Locke, Martin, Mathews, Mitchell, Nelson, Price, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Troup, Wharton, Wilson, Wood of Marengo, Woolf and Wynne—63.

Those who voted nay are—

Messrs. Billups, Cook, Cockrell, Davis, Franklin, Gilmer of Montgomery, Lee and Witherspoon—8.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

February 2, 1876.

Mr. Speaker :

The senate concurs in the house amendment to the senate bill—

s. B. 60. To authorize the warden of the penitentiary to sue in all cases for dues to the penitentiary, either in the

county of Elmore or of the residence of any defendant, as he may deem best.

The senate has passed the house bill—

H. B. 160. To protect persons having an interest in personal property, as tenants in common or part owners thereof.

And has adopted the house joint memorial—

H. B. 321. To the congress of the United States in relation to the University of Alabama.

S. B. BREWER,
Sec'y of Senate.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
February 2, 1876.

Mr. Speaker :

The Governor has approved the following bill which originated in the house of representatives :

H. B. 105. An act to fix the time of holding the circuit court of the county of Clarke, and to regulate the practice therein in certain cases.

H. B. 181. An act to amend section ten of an act to repeal an act entitled an act to establish a city court for the county of Lee, with criminal and civil jurisdiction.

H. B. 104. An act to repeal an act entitled an act for the encouragement of mining, manufacturing, mechanical, industrial and commercial pursuits within the State of Alabama, approved April 23, 1873.

H. B. 6. An act to constitute the city of Birmingham a separate school district, and for the regulation of the public schools therein.

L. R. DAVIS,
Private Sec'y.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following as correctly enrolled :

H. B. 142. To incorporate the Marengo Manufacturing Company.

The speaker, in the presence of the house and immediately after the title had been publicly read, signed the said bill, and also the following senate bills :

S. B. 60. To authorize the warden of the penitentiary to

sue in all cases for dues to the penitentiary, either in the county of Elmore or of the residence of any defendant, as he may deem best.

s. B. 176. To detach the district composed of the county of St. Clair from the middle chancery division and attach the same to the northern chancery division.

Leave of absence was granted Mr. Carson for five days, on account of sickness in his family.

On motion of Mr. Brown, the house adjourned until to-morrow morning, 10 o'clock.

THIRTY-SECOND DAY.

THURSDAY, February 3, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Aldridge, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Bozeman, Brantley, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, St. John, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—72.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Martin and Gilmer of Lawrence, five days; Wood of Talladega, to-day, on account of urgent business; Crews to-day, Boyd five days, Gilmer of Montgomery three days, on account of sickness.

BILLS ON SECOND READING.

The bills—

H. B. 355. To ratify and confirm the issue of certain bonds by the county of Mobile.

H. B. 356. To make all the general laws now existing, or which may be hereafter enacted, in reference to the several courts of county commissioners in this State, applicable to all other county courts of like jurisdiction.

S. B. 358. To require emigrant agents to take out license before doing business as such in this State.

H. B. 359. To require county claims to be itemized and sworn to before allowance is made by the courts of county commissioners, and to provide for the filing of the same;

H. B. 360. To authorize the court of county commissioners of Walker county to levy a special tax to pay the indebtedness of said county;

Were severally read the second time and referred to the committee on local legislation.

The bills—

H. B. 352. To authorize the examination of persons on trial on indictments for misdemeanors and felonies, as witnesses;

H. B. 354. To repeal an act in relation to trials for misdemeanors in Tuscaloosa, and other counties therein named, approved March 19, 1875, so far as the same relates to Dallas county;

Were severally read the second time and referred to the committee on the judiciary.

The bill—

H. B. 357. To pay Mrs. Narcissa H. Heidt, administratrix of the estate of E. A. Heidt, deceased, for advertising lands in the county of Perry, in this State, to be sold for taxes;

Was read the second time, and, with the petitions and statements, referred to the committee on accounts and claims.

The bill—

H. B. 353. To incorporate the Greensboro Guards, a volunteer militia company;

Was read the second time and referred to the committee on corporations.

UNFINISHED BUSINESS.

The house next proceeded to the consideration of the bill—

H. B. 158. To regulate the system of penal labor in the several counties in Alabama;

The question pending being the amendment offered by Mr. Betts on yesterday.

Mr. Betts was allowed to amend his amendment by adding after the word "may" the following: "if, in their judgment, the public interest requires it."

And, as amended, the amendment was adopted—yeas 48, nays 19.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Beirne, Bell, Bennett, Beets, Bliss, Bozeman, Brewer, Brantley, Clements, Cook, Davis, Dillon, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Locke, Matthews, Mitchell, Purcell, Reese, Rice, Ross, Rousseau, Smith of Franklin, St. John, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo and Wynne—48.

Those who voted nay are

Messrs. Speaker, Barron, Bonner, Brown, Cashin, Chambers, Espy, Fagan, Greene of Lee, Harris of Dallas, Herman, Jones of Russell, Lee, Martin, Nelson, Price, Prowell, Shepard and Woolf—19.

Mr. Barron moved to amend as follows:

In sixth line of section one, strike out the words "in the newspaper published nearest the court house," and insert in lieu thereof the words "or by posting up written notices at the court house and three other public places in said county."

Mr. Barnett moved to amend the amendment by striking out the words "three other public places," and insert in lieu thereof the following: "at some public place in each beat." Adopted.

And, as amended, the amendment was adopted.

Mr. Higgins offered the following amendment: Strike out "section 9," and insert in lieu thereof the following: "Section 9. Be it further enacted, That it shall be the duty of the court of county commissioners, on recommendation of the grand jury of the county, to remove the superintendent of hard labor of the county at any regular or special term."

Which, on motion of Mr. Woolf, was laid on the table.

Mr. Rice moved to amend as follows:

In fifth line of section one strike out the word "some," and insert "the;" and in sixth line of said section, after the word "county," insert the following: "having the largest circulation, to be ascertained by the oath of the publisher thereof."

The amendment was adopted.

Mr. Barnett offered the following amendments, which were adopted :

At the end of section five add as follows: "taking duplicate receipts therefor, one to be retained by himself, and the other to be by him filed in the office of the probate judge."

In line two of section thirteen, strike out the words "he may think proper," and insert in lieu thereof the words "may be necessary for the safe keeping of the convicts and prisoners."

Mr. Chambers moved to amend as follows:

In first line of section thirteen, strike out the words "lawful for," and insert the words "duty of."

The amendment was adopted, and the bill read the third time and passed—yeas 55, nays 13.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Bozeman, Brewer, Brown, Chambers, Clements, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Matthews, Nelson, Price, Prowell, Purcell, Ross, Rousseau, Smith of Franklin, Stallworth, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo and Woolf—55.

Those who voted nay are—

Messrs. Allen, Bennett, Brantley, Cashin, Cook, Cockrell, Gilmer of Montgomery, Harris of Dallas, Lee, Locke, Martin, Tate and Wynne—13.

By leave, Mr. Betts offered the following joint resolution, which was adopted, and ordered forthwith to the senate:

Resolved by the house (the senate concurring), That the several probate judges of this State be and are hereby authorized and required to suspend their reports to the State Auditor and county treasurers of moneys collected by them for licenses for the year 1876, until after the first day of March next.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced—

By Mr. Grant, (with notice, &c.)—

H. B. 361. To repeal section one of an act in relation to the fine and forfeiture fund of Tuscaloosa and other counties, in so far as it applies to Lowndes county;

Also, (with notice, &c.,)

H. B. 362. To repeal an act to amend section one of an act entitled an act to prevent the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors within four miles of Hopewell Baptist church, and Magnolia academy, in Lowndes county, approved January 27th, 1872, approved March 18th, 1872;

By Mr. Kimmey—

H. B. 363. To relieve all persons from the payment of all taxes assessed on property which has been destroyed by fire since the date of its assessment and before the taxes are paid thereon.

By Mr. Straughn, (with petition,)—

H. B. 364. To repeal an act to prevent the sale of vinous or spirituous liquors within two miles of Harrison Lodge, No. 246.

By Mr. Edwards, (with notice, &c.)—

H. B. 365. To incorporate Haw Ridge Baptist church, in Dale county, and Haw Ridge academy, in Coffee county.

By Mr. Mitchell—

H. B. 366. To alter and regulate the distribution of the fine and forfeiture fund of Montgomery county;

Which bills were severally read once and ordered to a second reading to-morrow.

Mr. Franklin offered the following resolution :

Resolved, That the committee on ways and means be instructed to introduce, at as early date as practicable, a general appropriation bill for the ordinary expenses of the executive, legislative and judiciary departments of the State, interest on the State debt, and for the public schools.

Which, on motion of Mr. Woolf, was referred to the committee on ways and means, with instructions to report by bill or otherwise.

Mr. Betts offered the following resolution, which was adopted :

Resolved, That the committee on education be instructed to report, as soon as practicable, the bill making appropriations to carry on the public schools.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 3, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 132. To amend so much of an act to amend an act entitled an act to prescribe the time of holding the circuit courts in the 10th judicial circuit, approved February 20, 1875, as relates to the county of Coosa.

H. B. 43. To fix and regulate the time of holding the circuit courts of the 5th judicial circuit of Alabama.

And has amended, as therein shown, and passed house bill—

H. B. 200. Requiring the Secretary of State to furnish judicial officers of this State duplicate copies of supreme court reports, when the same have been or may be destroyed by fire without fault on their part or on the part of their predecessors in office.

The Senate has also passed the following bills :

S. B. 194. To establish a court of quarter sessions for Perry county.

S. B. 212. To define the duties of owners of partition fences.

S. B. BREWER,
Secretary.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported correctly enrolled the following bills, viz :

H. B. 71. To repeal an act entitled an act in relation to appeals from justices courts.

H. B. 160. To protect persons having an interest in personal property as tenants in common, or part owners thereof.

H. B. 321. A joint memorial to the congress of the United States in relation to the University of Alabama.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
 February 3, 1876. }

Mr. Speaker :

The Governor has approved the following bills which originated in the house of representatives :

H. B. 142. An act to incorporate the Marengo Manufacturing Company.

H. B. 71. An act to repeal an act entitled an act in relation to appeals from justices courts.

H. B. 160. An act to protect persons having an interest in personal property, as tenants in common or part owners thereof.

Respectfully,

L. R. DAVIS,
 Private Secretary.

SPECIAL ORDER.

The hour of 12 o'clock having arrived, the house proceeded to the consideration of the special order for that hour, it being the bill—

H. B. 341. To establish a revenue code for the State of Alabama.

On motion of Mr. Barnett, the bill was considered by chapters.

First chapter was adopted.

SECOND CHAPTER.

Mr. Barnett, by instructions from the committee, moved to amend as follows: Section 1, subdivision 4, line 13, strike out the word "the," and insert the word "a."

Also, insert after the word "all," in line 15, subdivision 5, same section, and insert the words "deaf mutes."

The amendments were severally adopted.

Mr. Hamilton moved to amend by adding at the end of line 22, section 1, the words "or one horse or mule."

Which, on motion of Mr. Prowell, was laid on the table.

Mr. Rice moved to amend by striking out all from line 21 to line 31 inclusive, of section 1, subdivision 8.

On motion of Mr. St. John, the amendment was laid on the table.

Mr. Rice moved to amend by striking out lines 20 and 21, subdivision 8, section 1.

Mr. Stallworth moved to amend the amendment, by striking out the words "realty and," in line 20. Adopted.

And the amendment, as amended, was adopted.

Mr. Stallworth moved to amend subdivision 8, line 20, section 1, by striking out the whole line and substituting the following: "household and kitchen furniture, where it does not exceed fifty dollars in value."

On motion of Mr. Brown, the amendment was laid on the table.

Mr. Price moved to amend line 20, subdivision 8, section 1, by striking out the words "not to exceed in value," and inserting in their place the following words, "to the value of."

And further amend said line by inserting immediately after the word "furniture," the following words, "and real property, if a homestead."

Mr. Stallworth moved to lay the amendment on the table. Lost—yeas 36, nays 39.

Those who voted yea are—

Messrs. Speaker, Barron, Beirne, Bell, Billups, Bonner, Brewer, Brown, Chambers, Clements, Davis, Dillon, Edwards, Espy, Fielder, Gibson, Grant, Gullledge, Harris of Perry, Higgins, Holloway, Huey, Kirkland, Mitchell, Nelson, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Straughn, Tate, Wharton and Wilson—36.

Those who voted nay are—

Messrs. Allen Aldridge, Baldwin, Barnett, Bennett, Betts, Bliss, Brantley, Cashin, Cook, Coon, Cockrell, Fagan, Farriss, Franklin, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Jones of Russell, Kimmey, Lee, Lewis, Locke, Martin, Matthews, Price, Reese, Reid, Smith of Bullock, St. John, Townsend, Troup, Witherspoon, Wood of Marengo, Woolf and Wynne—39.

And the amendment was lost.

Mr. Woolf moved to amend by striking out the whole of subdivision 8, section 1, except lines 27, 28 and 29.

Pending the consideration of which, on motion of Mr. Chambers, the house adjourned until to-morrow morning, ten o'clock.

THIRTY-THIRD DAY.

FRIDAY, February 4, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson of the house.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brown, Chambers, Clements, Cook, Cockrell, Crews, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—76.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Locke until Wednesday on account of sickness in his family.

By leave, Mr. Woolf offered the following joint resolution, which was adopted :

Resolved by the House of Representatives, (the senate concurring,) That the tax assessors of the State are hereby required to attend at the offices of the tax collector, if he have an office, or at such place at the county seat as the collector may designate, in order to affix the penalties against delinquent tax payers, as provided in section 15 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

By leave, Mr. Price, from the committee on local legislation, reported favorably to the senate bill—

s. B. 161. To regulate the times of holding courts in the northern chancery division of Alabama ;

Which bill was read the third time and passed—yeas 69, nays 1.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Barnett, Beirne, Ben-

nett, Betts, Billups, Bliss, Bonner, Boyd, Bozeman, Brewer, Brantley, Brown, Chambers, Clements, Crews, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—69.

Mr. Cockrell voted nay.

On motion of Mr. Stallworth, the house concurred in the senate amendment to the bill—

H. B. 200. To require the Secretary of State to furnish judicial officers of this State duplicate copies of supreme court reports, when the same have been or may be destroyed by fire without fault on their part or on the part of their predecessors in office—yeas 65, nays 0.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Bozeman, Brewer, Brantley, Brown, Chambers, Clements, Coon, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—65.

By leave, Mr. Billups, from the committee on privileges and elections, reported favorably, with an amendment, to the bill—

H. B. 167. To abolish the registration oath.

Amend by adding to section 2 the following:

“Provided nothing herein contained shall in any manner invalidate or effect the registration of voters heretofore made under the act hereby amended.”

The amendment was adopted.

On motion of Mr. Grant, the bill was recommitted.

BILLS ON SECOND READING.

The bill—

H. B. 361. To repeal section 1 of an act in relation to the fine and forfeiture fund of Tuscaloosa and other counties, in so far as it applies to Lowndes county ;

Was read the second time and referred to the committee on local legislation.

The bill—

H. B. 366. To alter and regulate the distribution of the fine and forfeiture fund of Montgomery county ;

Was read the second time and referred to the committee on fees and salaries.

The bill—

H. B. 363. To relieve all persons from the payment of all taxes assessed on property which has been destroyed by fire since the date of its assessment, and before the taxes are paid thereon ;

Was read the second time and referred to the committee on finance.

The bills—

H. B. 365. To incorporate Haw Ridge Baptist Church, in Dale county, and Haw Ridge Academy, in Coffee county.

H. B. 364. To repeal an act to prevent the sale of spirituous or vinous liquors within two miles of Harrison Lodge, No. 246.

H. B. 362. To repeal an act to amend section one of an act entitled an act to prevent the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within four miles of Hopewell Baptist Church and Magnolia Academy, in Lowndes county, approved January 17, 1872, approved March 18, 1872 ;

Were severally read the second time and referred to the committee on temperance.

SENATE BILLS ON FIRST READING.

S. B. 212. To define the duties of owners of partition fences.

S. B. 194. To establish a court of quarter sessions for Perry county ;

Were severally read once and ordered to a second reading on to-morrow.

Mr. Rice moved that the regular order of business be suspended in order to allow reports from committees ;
The motion was lost.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced :

By Mr. Harris of Perry (with evidence of publication of notice, &c.)—

H. B. 367. To repeal an act entitled an act to consolidate the fine and forfeiture fund of Perry county, with the general fund of said county.

By Mr. Hamilton—

H. B. 368. To repeal an act in relation to trials for misdemeanors in Tuscaloosa and other counties therein named, approved March 19th, 1875, so far as the same relates to the county of Sanford.

By Mr. Dillon—

H. B. 369. To amend an act prohibiting the sale, giving away or otherwise disposing of vinous, or malt liquors, or other intoxicating bitters, within two and a half miles of the Coosa Valley Baptist Church, St. Clair county, approved March 15, 1875.

By Mr. Crews—

H. B. 370. To exempt the city property of Eufaula from levy and sale.

By Mr. Clements—

H. B. 371. To regulate the assessment and collection of the poll-tax in each county in this State.

By Mr. Grant (with evidence of publication of notice, &c.)—

H. B. 372. To change the boundary line between Calhoun and Cleburne counties.

By Mr. Bell—

H. B. 373. To incorporate the Cherokee Manufacturing Company.

By Mr. Kimmey—

H. B. 374. To continue in force an act to authorize the filing and recording of certain deeds of conveyance, therein named, in the office of the probate courts of this State.

By Mr. Townsend (with evidence of publication of notice, &c.)—

H. B. 375. To repeal an act, approved January 29th, 1875, prohibiting the sale of liquors within three miles of Harmony Church, Limestone county.

Also, (with evidence of publication of notice, &c.)—

H. B. 376. To repeal an act, approved February 23d, 1875, prohibiting the sale, &c., of liquors and intoxicating beverages, within three miles of Cambridge Camp Ground, Limestone county.

By Mr. Price—

H. B. 377. To amend an act to regulate the payment of all claims against the fine and forfeiture fund of Clarke county, and to make the same receivable in payment of fines due the county and for hire of convicts;

Which bills were severally read once, and ordered to a second reading on to-morrow.

REPORTS FROM STANDING COMMITTEES.

Mr. Woolf, from the judiciary committee, reported favorably to the bill—

H. B. 302. To revive and keep in full force chapter 9, title 9, part first, of the Revised Code (in reference to solicitors).

On motion of Mr. Woolf, the bill was recommitted.

Mr. Woolf, from same committee, reported a substitute for the bill—

H. B. 208. To prevent fraud under contracts for labor or rent.

The substitute being entitled "an act to prevent fraud in case of contract of hire and rent.

The substitute was adopted.

Mr. Harris of Perry moved to amend as follows:

"Provided said contract shall be entered into before some justice of the peace or notary public, and have said contract certified to by said officer."

On motion of Mr. Prowell, the amendment was laid on the table.

Pending the consideration of the bill, the hour of 12 o'clock arrived, when the house proceeded to the consideration of the bill—

H. B. 341. To establish a revenue code for the State of Alabama.

The question pending being the amendment of Mr. Woolf,

Mr. Herman moved to suspend the consideration of the special order for the purpose of allowing the committee on finance to report the senate bill—

To pay the expenses of the Spencer investigation committee.

The house refused to suspend.

Mr. Barnett, by instructions from committee, offered the following as a substitute for sub-division eight:

"The following property to the head of each family, whose taxable property does not exceed five hundred dollars in value, as may be shown by his itemized list of taxable property:

One hundred dollars to be deducted from the value of the homestead.

Household furniture to the value of thirty dollars.

Kitchen furniture to the value of twenty dollars.

One yoke of oxen; one cart or wagon.

Five cows and calves.

Twenty head of stock hogs.

Ten head of sheep. All poultry.

All wearing apparel. All looms and spinning wheels kept for use in the family.

Farming tools to the value of twenty-five dollars.

Tools and implements of mechanics to the value of twenty-five dollars.

Mr. Smith of Franklin moved to lay the amendment and the substitute on the table.

Mr. Woolf called for a division of the question.

The vote being taken on laying the substitute on the table, resulted—yeas 33, nays 39.

Those who voted yea are—

Messrs. Barron, Blevins, Chambers, Crews, Davis, Dillon, Edwards, Espy, Grant, Greene of Jefferson, Gullledge, Harris of Chambers, Harris of Dalias, Harris of Perry, Heaton, Herman, Huey, Kirkland, Maples, Prowell, Purcell, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Straughn, Tate, Troup, Wilson, Wood of Talladega, and Woolf—33.

Those who voted nay are—

Messrs. Speaker, Aldridge, Baldwin, Barnett, Beirne, Bennett, Betts, Billups, Bonner, Boyd, Brown, Cashin, Clements, Cook, Coon, Cockrell, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Lee, Hamilton, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Lewis, Locke, Mitchell, Nelson, Price, Reese, Reid, St. John, Townsend, Wharton, Wither-
spoon, and Wood of Marengo—39.

The question being then put on tabling the amendment, resulted—yeas 33, nays 37.

Those who voted yea are—

Messrs. Aldridge, Barron, Bonner, Chambers, Coon, Davis,

Dillon, Espy, Farriss, Franklin, Grant, Gullledge, Hamilton, Harris of Perry, Heaton, Herman, Kirkland, Maples, Purcell, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, St. John, Tate, Townsend, Troup, Wharton, Wilson, and Wood of Talladega—33.

Those who voted nay are—

Messrs. Allen, Barnett, Bennett, Betts, Billups, Blevins, Brewer, Brown, Cashin, Clements, Cook, Cockrell, Crews, Edwards, Fagan, Gibson, Greene of Jefferson, Greene of Lee, Harris of Chambers, Harris of Dallas, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Lee, Lewis, Nelson, Price, Prowell, Reese, Reid, Straughn, Witherspoon, Wood of Marengo, Woolf and Wynne—37.

The question recurring on the adoption of the substitute. It was lost.

And the amendment was lost—yeas 16, nays 56.

Those who voted yea are—

Messrs. Speaker, Bonner, Brown, Greene of Jefferson, Gullledge, Hamilton, Higgins, Kirkland, Maples, Mitchell, Prowell, Purcell, Rice, Stallworth, Tate and Woolf—16.

Those voted nay are—

Messrs. Aldridge, Baldwin, Barnett, Barron, Bennett, Betts, Billups, Blevins, Bliss, Boyd, Brewer, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Lee, Lewis, Nelson, Price, Reese, Reid, Ross, Sims, Smith of Franklin, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Wynne—56.

Mr. Harris of Perry, moved to amend by striking out subdivision 8, of section 1.

On motion of Mr. Kimmey, the amendment was laid on the table—yeas 54, nays 18.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barron, Bennett, Betts, Billups, Blevins, Chambers, Clements, Coon, Cockrell, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Lee, Lewis, Locke, Mitchell, Nelson, Price, Reese, Reid, Ross, Rousseau, Smith of Franklin, Stallworth, St. John, Straughn, Townsend, Troup,

Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Wynne—54.

Those who voted nay are—

Messrs. Baldwin, Barnett, Beirne, Bonner, Brewer, Brown, Cashin, Cook, Crews, Greene of Jefferson, Gullledge, Harris of Perry, Kirkland, Purcell, Rice, Sims, Tate and Woolf—18.

Mr. Coon moved to amend by substituting for line 20, subdivision 8, of section 1, the following: "All such property as the head of the family may select, to the value of not exceeding five hundred dollars;"

Which, on motion of Mr. Andersen, (Mr. Clements in the chair,) was laid on the table—yeas 58, nays 17.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Nelson, Price, Purcell, Rice, Rousseau, Sims, Smith of Franklin, Stallworth, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—53.

Those who voted nay—

Messrs. Allen, Baldwin, Bennett, Blevins, Cashin, Cook, Coon, Cockrell, Fagan, Franklin, Harris of Dallas, Lee, Reese, Reid, St. John, Wood of Marengo, and Wynne—17.

Mr. Chambers moved to amend subdivision 8, of section 1, by inserting in lieu of lines 20 and 21, the following: "Household furniture to the value of fifty dollars, and kitchen furniture to the value of twenty-five dollars;"

Which, on motion of Mr. Price, was laid on the table.

Mr. Hamilton moved to amend, by adding after line 20, "all corn and fodder, meat and flour on hand, not kept for sale;"

Mr. Blevins moved to lay the amendment on the table. Lost—yeas 28, nays 42.

Those who voted yea are—

Messrs. Barron, Beirne, Blevins, Bonner, Brewer, Clements, Crews, Dillon, Espy, Gullledge, Harris of Perry, Herman, Higgins, Holloway, Huey, Jenkins, Kirkland, Maples, Mitchell, Price, Purcell, Reid, Rice, Rousseau, Sims, Straughn, Tate and Woolf—28.

Those who voted nay are—

Messrs. Speaker, Aldridge, Baldwin, Barnett, Bennett, Betts, Billups, Brown, Cashin, Chambers, Cook, Cockrell, Davis, Edwards, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Jones of Russell, Kimmey, Lee, Lewis, Nelson, Reese, Smith of Franklin, Stallworth, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—42.

And the amendment was lost.

Mr. Smith of Franklin, moved to amend line 20, subdivision 8, section 1, by striking out the words "and fifty ;"

Which, on motion of Mr. Grant, was laid on the table.

Chapter 2, as amended, was then adopted.

Mr. Barnett moved to reconsider the vote by which chapter 2 was adopted, and to lay that motion on the table. Carried—yeas 47, nays 25.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Beirne, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Gibson, Grant, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lewis, Maples, Mitchell, Nelson, Price, Purcell, Rice, Rousseau, Smith of Franklin, Stallworth, Townsend, Troup, Wharton, Wilson and Woolf—47.

Those who voted nay are—

Messrs. Allen, Baldwin, Bennett, Blevins, Boyd, Cashin, Cook, Coon, Cockrell, Fagan, Franklin, Harris of Dallas, Harris of Perry, Lee, Reese, Reid, Sims, Smith of Bullock, St. John, Straughn, Tate, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—25.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

February 4, 1876.

Mr. Speaker :

The senate has passed the following house bill :

H. B. 311. For the relief of certain tax payers in this State.

And has originated and passed the following bill :

s. B. 256. To allow tax collectors to give separate bonds

for the collection of the ordinary State and county taxes, and all other taxes for special purposes ;

And has adopted, and ordered forthwith to the house, the following

JOINT RESOLUTION :

Resolved by the Senate, (the house of representatives concurring,) That the Governor be, and he is hereby, authorized to appoint an attorney, to take charge of, and represent the State in relation to the memorial adopted by the general assembly of Alabama, to the senate of the United States, praying that the right of Geo. E. Spencer to the seat he now holds, be inquired into, and his claim thereto be declared invalid, and said seat be declared vacant.

Respectfully,

S. B. BREWER,
Secretary.

ENROLLED BILLS.

Mr. Fielder, from the committee on enrolled bills, reported the following as correctly enrolled :

H. B. 200. To require the Secretary of State to furnish judicial officers of this State duplicate copies of the supreme court reports, and other books, where the same have been, or may be destroyed by fire, without fault on their part, or on the part of their predecessors in office.

H. B. 43. To fix and regulate the time of holding the circuit courts of the fifth (5th) judicial circuit of Alabama.

H. B. 132. To amend so much of an act to prescribe the time of holding the circuit courts in the tenth judicial circuit, approved February 20, 1875, as relates to the county of Coosa.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after their titles had been publicly read, signed the said bills, and also the following senate bills—

S. B. 35. To repeal an act to amend section 3470 of the Revised Code, approved December 8, 1873.

S. B. 161. To regulate the times of holding courts in the northern chancery division of Alabama.

On motion of Mr. Allen, the house adjourned until tomorrow morning, 10 o'clock.

THIRTY-FOURTH DAY.

SATURDAY, February 5, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Nelson, of the house.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bonner, Boyd, Brewer, Brantley, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Maples, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—78.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Prowell and Stevens for five days, on account of sickness in their families, and to Mr. Ross until Tuesday, on account of sickness.

BILLS ON SECOND READING.

The bills—

H. B. 367. To repeal an act to consolidate the fine and forfeiture fund of Perry county with the general fund of said county;

H. B. 368. To repeal section five of an act in relation to trials for misdemeanors in Tuscaloosa and other counties

therein named, approved March 19, 1875, so far as the same relates to Sanford county;

And the senate bill—

S. B. 194. To establish a court of quarter sessions for Perry county;

Were severally read the second time and referred to the committee on the judiciary.

The bills—

H. B. 370. To exempt the city property of Eufaula from sale and levy;

H. B. 374. To continue in force an act to authorize the filing and recording of certain deeds of conveyance therein named in the offices of the probate courts of this State;

H. B. 375. To repeal an act, approved January 29, 1875, prohibiting sale, &c., of liquors within three miles of Harmony church, Limestone county;

H. B. 376. To repeal an act, approved February 23, 1875, prohibiting the sale, &c., of liquors within three miles of Cambridge Camp Ground, Limestone county;

H. B. 377. To amend an act to regulate the payment of all claims against the fine and forfeiture fund of Clarke county, and to make the same receivable in payment of fines due the county and for hire of convicts;

Were severally read the second time and referred to the committee on local legislation.

The bill—

H. B. 369. To amend an act prohibiting the sale or giving away, or otherwise disposing of vinous or malt liquors, or other intoxicating bitters, within $2\frac{1}{2}$ miles of the Coosa Valley Baptist church, St. Clair county, approved March 15, 1875:

Was read the second time and referred to the committee on temperance.

The bill—

H. B. 371. To regulate the assessment and collection of the poll tax in each county in this State;

Was read the second time and referred to the committee on education.

The bill—

H. B. 372. To change the boundary line between Calhoun and Cleburne counties;

Was read the second time and referred to the committee on counties and county boundaries.

The bill—

H. B. 373. To incorporate the Cherokee Manufacturing Company;

Was read the second time and referred to the committee on corporations.

The senate bill—

S. B. 212. To define the duties of owners of partition fences;

Was read the second time, and referred to the committee on agriculture and commerce.

The house next proceeded to the consideration of the senate joint resolution—

S. B. 303. To authorize the Governor to employ an attorney in the matter of the investigation of the seat now held by George E. Spencer, as United States senator from Alabama.

Mr. Harris, of Perry, moved to amend, as follows:

“Provided, That there shall be no appropriation made by the State to pay said lawyer or attorney for his services.”

Which, on motion of Mr. Price, was laid on the table.

Yeas 50, nays 18.

Those who voted yea are—

Messrs. Aldridge, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Maples, Mitchell, Nelson, Price, Purcell, Rice, Smith of Franklin, Stallworth, St. John, Tate, Townsend, Troup, Wharton, Wilson and Woolf—50.

Those who voted nay are—

Messrs. Allen, Baldwin, Bennett, Blevins, Cook, Cockrell, Harris of Perry, Lee, Lewis, Matthews, Reese, Reid, Sims, Smith of Bullock, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—18.

Mr. Wood, of Talladega, moved to amend by inserting after the word “attorney,” the following: “Hon. Lewis E. Parsons of the county of Talladega.”

Which, on motion of Mr. Price, was laid on the table.

Mr. Price called for the previous question.

The call was sustained.

And the joint resolution was adopted—yeas 50, nays 20.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Bell, Betts, Billups, Brewer, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin,

Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Kirkland, Maples, Mitchell, Nelson, Price, Purcell, Rice, Rousseau, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Troup, Wharton and Woolf—50.

Those who voted nay are—

Messrs. Allen, Baldwin, Bennett, Blevins, Boyd, Cashin, Cockrell, Harris of Dallas, Harris of Perry, Lee, Lewis, Matthews, Reese, Reid, Sims, Smith of Bullock, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—20.

SENATE BILL ON FIRST READING.

The senate bill—

S. B. 256. To allow tax collectors to give separate bonds for the collection of the ordinary State and county taxes, and all other taxes for special purposes;

Was read once and ordered to a second reading on tomorrow.

UNFINISHED BUSINESS.

The house next proceeded to the consideration of the bill—

H. B. 208. To prevent fraud in case of contract of hire and rent.

Mr. Reid moved to amend as follows :

“ Provided that the employer, when he enters into a contract to furnish advances of money or any other articles, and fails to comply with his part of the contract, then he is guilty of a violation of the provisions of this act.”

Mr. Edwards moved to lay the amendment on the table—carried.

Mr. Betts called for the previous question.

The call was sustained ;

And the bill was read the third time and passed—yeas 51, nays 20.

Those who voted yea are—

Messrs. Speaker, Barnett, Barron, Beirne, Bell, Betts, Biplups, Bonner, Brewer, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Farriss, Fielder, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland,

Maples, Mitchell, Nelson, Price, Purcell, Rice, Rousseau, Sims, Smith of Franklin, Stallworth, Straughn, Tate, Townsend, Troup, Wharton, Wilson and Woolf—51.

Those who voted nay are—

Messrs. Allen, Aldridge, Baldwin, Bennett, Boyd, Brantley, Cook, Coon, Cockrell, Fagan, Franklin, Harris of Perry, Lee, Lewis, Mathews, Reese, Reid, Wood of Marengo, Wood of Talladega, and Wynne—20.

CALL OF THE COUNTIES.

Upon the call of the counties, bills were introduced—

By Mr. Wilson (with evidence of publication of notice, &c.)

H. B. 378. To repeal an act to prohibit any person or persons from giving away, selling or offering for sale any vinous or spirituous liquors within three miles of Limeville Baptist Church, or within one mile of Hamburg, in Perry county, as relates to the prohibition within three miles of Limeville Baptist Church, in Shelby county.

By Mr. Price—

H. B. 379. To regulate the appointment and jurisdiction of notaries public with like jurisdiction of justices of the peace and other notaries.

By Mr. Stallworth—

H. B. 380. To amend section 2282 of the Revised Code ;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Betts offered the following resolution, which was adopted :

Resolved, That the senate be requested to return to this house the bill providing for the publication in a newspaper of all laws of a general character, passed at this session of the general assembly.

Mr. Beirne offered the following resolution, which was adopted :

Resolved, That a committee of three be appointed by the speaker to wait on Hon. G. H. Pendleton of Ohio, who is visiting our capital, and tender him the courtesies of the house and a seat on the floor.

Committee—Messrs. Beirne, Price and Clements.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 5, 1876.

Mr. Speaker:

The senate concurs in the house joint resolution—

Authorizing and requiring probate judges to suspend their reports to the State Auditor and county treasurers of moneys collected by them for services for the year 1876, until after the first day of March next.

And also concurs in the house joint resolution—

Requiring tax assessors to attend at the office of the tax collector, or such place as the said collector may designate, at the county seat, to affix the penalties against delinquent tax payers, as provided in section 15 of an act to establish revenue laws, approved March 19, 1875.

The senate concurred in the house amendment to the senate bill—

s. B. 73. To prohibit sale of lottery or gift enterprise tickets in this State.

And has originated and passed the following bills:

s. B. 18. To allow married women in certain cases to sue in their own names.

s. B. 283. To extend the charter of the Prattville Manufacturing Company.

s. B. 253. To give parties who let land on shares a lien for their share, and for advances in gathering and cultivating the crop.

The senate concurs in the action of the house appointing a committee of conference to consider the senate amendment to the house bill—

H. B. 128. To provide for the revision, digesting and promulgation of the public statutes of this State of a general nature.

And has appointed Messrs. Cobb and Hamilton the committee on the part of the senate.

Respectfully,

S. B. BREWER,
Secretary.

Mr. Billups gave notice that on to-morrow he would offer a resolution to the effect that during the pending of the revenue bill the house shall hold two sessions each day, morning session from 10 to 2, evening session from 4 to 6.

SPECIAL ORDER.

The hour of 12 o'clock having arrived, the house proceeded to the consideration of the special order for this hour, it being the senate bill—

S. B. 4. To execute the power of disposal of lands granted by an act of congress, entitled an act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State, approved June 3d, 1856, which power of disposal is conferred upon the legislature of Alabama by said act of congress.

The question pending being the adoption of the amendment reported by the judiciary committee—

The amendment was adopted, and the bill read the third time and passed—yeas 64, nays 5.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Barnett, Barron, Bell, Betts, Billups, Bonner, Boyd, Brewer, Brantley, Brown, Chambers, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Maples, Matthews, Mitchell, Nelson, Reese, Reid, Rice, Rousseau, Smith of Franklin, St. John, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—64.

Those who voted nay are—

Messrs. Bennett, Fielder, Gulledge, Lewis, and Stallworth—5.

RECEPTION OF HON. GEO. H. PENDLETON.

Mr. Pendleton having entered the hall, accompanied by the committee appointed to wait upon him, was welcomed to the floor of the house by the speaker.

On motion of Mr. Price, a recess of ten minutes was taken to allow members to be introduced to Mr. Pendleton.

At the expiration of the ten minutes, the house was called to order and proceeded to the consideration of the revenue bill (H. B. 341.)

Chapter three was read.

Mr. Barnett moved to amend by striking out the words,

"not by this act exempt from taxation," section two, lines four and five.

Also, amend section four by inserting after the word "named," where it occurs in fourth line of said section, the following words, viz: "Except upon so much thereof as is exempt from taxation, under the provisions of section one, of chapter two, of this act."

The amendments were severally adopted.

Mr. Barnett moved to amend as follows: Strike out subdivision five of section four; also strike out the word "annual," in subdivision seven, line twenty-seven, of said section three. Adopted.

Mr. Barnett moved to amend by adding after the word "known," in section six, subdivision five, line seventeen, the following: "Provided such description be sufficiently definite to constitute the basis of a deed."

Mr. Billups moved, as a substitute, to amend by adding, after the word "known," the words "as identified."

The substitute was adopted.

Mr. Barnett moved to amend by striking out the word "they," in tenth line, section seven, and inserting in lieu thereof the words "the referees." Adopted.

Also, amend section ten, line three, by inserting after the word "against," the words "the property of." Adopted.

Mr. Brown moved to amend section three of said chapter (3), by striking out the words "September" and "November," in line two, and insert in lieu thereof "October" and "December." Adopted.

Mr. Barnett moved to amend by substituting the following in lieu of subdivision one of section five of said chapter.

1. On the gross amount of commissions upon all sales at auction, made in or during the tax year pending the assessment, at the rate of three-fourths of one per cent.; Provided, That on sales of merchandise owned by non-residents, the rate of taxation shall be one-fourth of one per cent. on the gross amount.

Pending its consideration,

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the bills—

H. B. 311. For the relief of certain tax payers in this State. And also, the following senate bills:

S. B. 73. To prohibit the sale of lottery or gift enterprise tickets in this State.

S. B. 303. Joint resolution authorizing the Governor to ap-

point an attorney to prosecute the claim for the seat occupied by Geo. E. Spencer as Senator in the United States Senate.

Pending the consideration of the amendment offered by Mr. Barnett,

On motion of Mr. Chambers, the house adjourned until monday morning, 10 o'clock.

THIRTY-FIFTH DAY.

MONDAY, February 7, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Gwin.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Matthews, Mitchell, Nelson, Price, Purcell, Reese, Reid, Rice, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—76.

Journal of Saturday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Coon and Smith of Bullock.

Leave was also granted Mr. Baker, for three days, on account of sickness.

Mr. Greene of Lee gave notice that the special committee appointed to visit the deaf, dumb and blind asylum, would be absent on to-morrow and next day for that purpose.

By leave, Mr. Fielder, from the committee on the penitentiary, reported favorably to the senate bill—

s. B. 33. To amend section 3836 of the Revised Code, as

it now stands in said Code, and to repeal certain acts therein named;

Which bill was read the third time and passed—yeas 69, nays 3.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Brown, Chambers, Clements, Cook, Cockrell, Crews, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jones of Russell, Kimmey, Leslie, Lewis, Maples, Nelson, Price, Purcell, Reid, Rice, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—69.

Those who voted nay are—

Messrs. Blevins, Cashin and Gilmer of Montgomery—3.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

February 7, 1876.

Mr. Speaker :

The senate has passed the house bill—

H. B. 144. To establish the city court of Selma, and ordered it forthwith to the house.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

BILLS ON SECOND READING.

The bill—

H. B. 380. To amend section 2282 (1923) of the Revised Code;

And the senate bill—

S. B. 256. To allow tax collectors to give separate bonds for the collection of the ordinary State and county taxes, and all other taxes for special purposes;

Were severally read the second time, and referred to the committee on the judiciary.

The bill—

H. B. 379. To regulate the appointment and jurisdiction of notaries public, with the jurisdiction of justices of the peace and other notaries;

Was read the second time and referred to the special joint committee on the constitution.

The bill—

H. B. 378. To repeal so much of an act to prohibit any person or persons from giving away, selling, or offering for sale any vinous or spirituous liquors within three miles of Limeville Baptist Church, in Shelby county, or within one mile of Hamburg in Perry county, as relates to the prohibition within three miles of Limeville Baptist Church, in Shelby county;

Was read the second time, and referred to the committee on temperance.

SENATE BILLS ON FIRST READING.

The senate bills—

S. B. 18. To allow married women in certain cases to sue in their own names;

S. B. 288. To extend the charter of the Prattville Manufacturing Company;

S. B. 253. To give parties who let land on shares a lien for their share, and for advances to aid in gathering or cultivating the crop;

Were severally read once, and ordered to a second reading on to-morrow.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced—

By Mr. Espy—

H. B. 381. To abolish the office of county treasurer;

By Mr. Bell—

H. B. 382. To establish separate school districts within the several counties of this State;

By Mr. Barron—

H. B. 383. For the relief of J. R. Wing, and other persons therein named;

Also, (with petition, and evidence of publication of notice, &c.,

H. B. 384. To authorize W. W. Wilkins of the county of Clay to peddle in said county without a license;

By Mr. Straughn—

H. B. 385. To authorize certain parties herein named to pay their taxes in Covington county ;

By Mr. Herman—

H. B. 386. To exempt money derived from life insurance policies from the claims of creditors ;

By Mr. Greene of Lee—

H. B. 387. To authorize and regulate the payment and collection of interest at Montgomery on the bonds of the State belonging to the agricultural and mechanical college ;

Also,

H. B. 388. For the relief of persons having but one arm or leg ;

By Mr. Townsend—

H. B. 389. To repeal an act to provide for the registration of electors in this State, approved March 18, 1875 ;

By Mr. Woolf—

H. B. 390. To prescribe the number, duties and compensation of the officers and employees of each house of the general assembly, and the manner of their election, as required by section 28, article 4, of the constitution ;

By Mr. Price—

H. B. 391. To amend an act to regulate the practice in the circuit court of Mobile county, approved March 1, 1870 ;

Also,

H. B. 392. To provide for the use of copies of depositions and other papers in evidence, lost or destroyed ;

By Mr. Barnett—

H. B. 393. To amend section 2961 of the Revised Code ;

By Mr. Mitchell—

H. B. 394. To amend an act to fix the numbers of the officers of the penitentiary and their compensation, approved March 15, 1875 ;

By Mr. Harris of Perry—

H. B. 395. To make intoxication a misdemeanor ;

By Mr. Heaton, (with petition and evidence of publication of notice, &c.)—

H. B. 396. To repeal an act prohibiting the sale, or otherwise disposing of spirituous or malt liquors, within one and a half miles of the academy in the town of Wedowee, in Randolph county ;

By Mr. Clements—

H. B. 397. To establish, organize and regulate a system of public instruction for the State of Alabama ;

By Mr. Smith of Bullock—

H. B. 398. To amend an act to incorporate the town of Midway, in Butler county, approved March 6, 1875 ;

By Mr. Anderson, (with memorial and evidence of publication of notice, &c.)—

H. B. 399. To amend an act entitled an act to amend the first section of the act to provide for the funding of the domestic debt of the State, approved December 19, 1873 ;

Which bills were severally read once and ordered to a second reading on to-morrow ;

Mr. Lewis presented the petitions of colored citizens of Perry county, praying for the passage of the bill to establish a court of quarter sessions of Perry county, with two terms, to be held at Uniontown, in each year.

The petitions were referred to the judiciary committee.

REPORTS FROM STANDING COMMITTEES.

Mr. Woolf, from the judiciary committee, reported a substitute for the bill—

H. B. 236. To establish and regulate liens of mechanics and other persons.

The substitute was adopted, and the bill was read the third time and passed—yeas 62, nays 13.

Those who voted yea are—

Messrs. Allen, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Brown, Cashin, Chambers, Cook, Cockrell, Crews, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Gibson, Gilmer of Montgomery, Grant, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Holloway, Huey, Jones of Russell, Kimmey, Leslie, Mathews, McDuffie, Mitcheli, Nelson, Price, Purcell, Reese, Reid, Rousseau, Shepard, Sims, Stevens, Straughn, Stribling, Townsend, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—62.

Those who voted nay are—

Messrs. Aldridge, Boyd, Brantley, Franklin, Greene of Jefferson, Herman, Kirkland, Maples, Rice, Smith of Franklin, St. John, Troup, and Wharton—13.

Mr. Woolf, from same committee, reported a substitute for the bill—

H. B. 270. To define the proceedings and regulate the practice in trials of impeachment, and removal from office of the officers mentioned in section 3, of article vii, of the constitution of Alabama.

The substitute being entitled—

An act to provide for the impeachment and removal from office of the officers mentioned in section 3, of article vii, of the constitution of Alabama;

The substitute was adopted, and the bill read the third time and passed—yeas 56, nays 17.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Brown, Cashin, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Kirkland, Maples, Nelson, Price, Purcell, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, and Woolf—56.

Those who voted nay are—

Messrs. Allen, Bennett, Blevins, Bliss, Boyd, Brantley, Cook, Cockrell, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Matthews, McDuffie, Reese, Witherspoon, Wood of Talladega, and Wynne—17.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
February 7, 1876.

Mr. Speaker:

The Governor has approved the following bills which originated in the house of representatives:

H. B. 311. An act for the relief of certain tax payers in this State.

H. B. 43. An act to fix and regulate the time of holding the circuit courts of the fifth (5th) judicial circuit of Alabama.

H. B. 132. An act to amend so much of an act to prescribe the time of holding the circuit courts in the tenth judicial circuit, approved February 20, 1875, as relates to the county of Coosa.

H. B. 200. An act to require the Secretary of State to furnish judicial officers of this State duplicate copies of the supreme court reports, and other books, where the same have

been, or may be destroyed by fire, without fault on their part, or on the part of their predecessors in office.

Respectfully,

L. R. DAVIS,
Private Sec'y.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 7, 1876.

Mr. Speaker :

The senate has originated and passed the following bills :

S. B. 377. To incorporate the Mathews' cotton mills company.

S. B. 245. To repeal an act to authorize the Governor to settle with the Montgomery and Eufaula rail road company, approved April 15, 1873.

And has adopted the following resolution, and ordered the same forthwith to the house :

Be it resolved, That the secretary is hereby instructed to inform the house of representatives that the senate has so far disposed of the house bill, No. 58, by giving it a second reading, and referring the same to the appropriate committee; that in the opinion of the senate the present condition of the bill prevents its return, pursuant to the request of the house.

And has passed, and ordered forthwith to the house, the following house bill :

H. B. 207. For the relief of small tax payers.

Respectfully,

S. B. BREWER,
Secretary.

SPECIAL ORDER.

The hour of 12 o'clock having arrived, the house proceeded to the consideration of the special order for this hour, viz., the bill—

H. B. 176. To provide for the incorporation of fence districts in this State.

On motion of Mr. Chambers, the further consideration of the bill was postponed in order to take up the revenue bill.

REVENUE BILL.

Whereupon the house proceeded to the consideration of the bill—

H. B. 341. To establish a revenue code for the State of Alabama.

On motion of Mr. Barnett, the chapters were considered by sections.

Chapter three, Section one.

Mr. Grant moved to amend line three, by striking out the word "fifty," and inserting in lieu thereof "forty;"

Which, on motion of Mr. Greene of Lee, was laid on the table.

Section one was then adopted.

Section Two.

Mr. Jones of Russell moved to amend by adding at the end of line seven the following: "On the first day of January proceeding the assessment, except as herein otherwise prescribed."

Mr. Herman moved to amend the amendment, by adding thereto the following: "And that no property shall be subject to more than one assessment and tax during the tax year."

Which, on motion of Mr. Betts, was laid on the table.

Mr. Chambers moved to amend the amendment, by adding thereto the following: "Provided, That the property brought into the State since the first day of January, and before the assessor has completed his assessment, shall be subject to taxation the same as if it had been held and owned in this State on the first day of January."

The amendment was adopted.

And the amendment, as amended, was adopted.

Section two was then adopted.

Section Three.

Mr. Betts moved to amend, by striking out all after the word "county," in the third line.

The amendment was adopted—yeas 50, nays 26.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Beirne, Bell, Betts, Blevins, Bliss, Bonner, Brewer, Brantley, Brown, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farris, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson,

Greene of Lee, Gullledge, Hamilton, Harris of Dallas, Holloway, Kimmey, Kirkland, Lee, Lewis, Maples, McDuffie, Nelson, Price, Rice, Rousseau, Shepard, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Wynne—50.

Those who voted nay are—

Messrs. Allen, Barnett, Barron, Bennett, Billups, Chambers, Clements, Dickson, Fielder, Gilmer of Montgomery, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jones of Russell, Leslie, Mathews, Mitchell, Purcell, Reese, Smith of Franklin, Stribling, Witherspoon and Woolf—26.

Mr. Price moved to amend by adding at the end of the section the following: "Provided, That persons paying all taxes due in the month of October shall be entitled to a reduction of four per cent.; those paying in full in the month of November, three per cent.; in December, two per cent. of the amount due by such persons."

Mr. Gullledge moved to lay the amendment on the table;

Carried.

Section three was then adopted.

Section Four.

Mr. Wilson moved that the house take a recess until 3½ o'clock this evening;

Lost.

Mr. Barnett moved to amend as follows: Between the words "them" and "as," in the third line, insert the words "whether exempt from taxation or not."

The amendment was adopted.

Mr. Mitchell moved to amend by inserting between the words "tax," and "of," in the fourth line, the words "at the rate."

The amendment was adopted.

Mr. Mitchell moved to amend by striking out sub-division four and inserting the following: "Upon all sales of goods, wares and merchandise during the preceding year, and this shall include all goods, wares and merchandise kept on plantations for sale for a profit, and shall include all sales of such articles by any and every merchant and trader in this State, whether the business commenced on, before or after the first day of January in the year."

On motion of Mr. St. John, the amendment was laid on the table.

Mr. Mitchell moved to amend by inserting between the words "laborers" and "provided," in line fourteen, the words, "excepting when purchased for laborers and delivered to them at the purchased price."

Which, on motion of Mr. Kirkland, was laid on the table.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported correctly enrolled the bill:

H. B. 207. For the relief of small tax payers.

SIGNING BILLS.

The speaker in the presence of the house, and immediately after the title had been publicly read, signed the said bill (H. B. 207.)

Mr. Mathews moved that the house take a recess until four o'clock this evening;

Lost.

On motion of Mr. Barnett, the house took a recess until 3½ o'clock this evening.

AFTERNOON SESSION.

The house re-assembled at 3½ p. m.,

And proceeded to the consideration of the bill—

H. B. 341. To establish a revenue code for the State of Alabama.

The question pending being the consideration of section four, chapter 3.

Mr. Wilson moved to amend by adding to line twenty-seven the following: "The above not to apply to profits from agricultural pursuits;

Lost.

Section four was then adopted.

Section Five.

Mr. Price moved to amend, by way of substitute, for subdivision one, and in lieu of the substitute for said subdivision offered by Mr. Barnett, and pending at adjournment on the fifth inst.

The substitute was adopted.

Mr. Brewer moved to amend sub-division four, line twenty-eight, by inserting after the word "commissions," the words, "after deducting expenses for carrying on such business."

Mr. Wilson moved to amend line thirty-six, by adding the following: "Provided the above shall not apply to gins and mills on plantations taxed as realty;"

Lost.

Section five was adopted also.

Section Six.

Mr. Chambers moved to amend section seven, by inserting after the word "real," in line one, the words, "and personal;" also, by inserting after the word "consideration," in line three, the words "if realty."

The amendments were adopted.

Mr. Betts moved to amend by substituting the word "and" for "also," in line five, and also by inserting the words, "shall be separately assessed" after the word "themselves," in line seven.

Adopted.

Sections seven, eight and nine were adopted.

Mr. Straughn moved to amend by striking out the words from the word "of" down to and including the word "counties" in the tenth line, section ten.

The amendment was adopted.

Mr. Barnett moved to reconsider the vote adopting the amendment;

Carried.

And the amendment was lost.

Mr. Betts moved to amend by inserting after the word "year," in the fifth line, the words, "or if brought into the State after that time, the lien shall attach from the time it is brought in."

Adopted.

Section ten, as amended, was then adopted.

Chapter IV.

Sections one and two were adopted.

Mr. Jones, of Russell, moved to amend section 3, by adding at the end of line three the following, "and upon failure to do so, he shall be required to pay a penalty of 5 per cent."

On motion of Mr. Blevins, the amendment was tabled.

Sections 3, 4, 5 and 6, were adopted.

Mr. Barnett moved to amend section 7, by inserting between the words "the" and "property," in 4th line, the words "valuation of the"—also strike out the word "value," in 8th line, and insert "valuation." Adopted.

Mr. Price moved to amend section 7, by adding after the word "valuation," where it last occurs in 8th line, the following: "And in order to distribute such valuation equally among the several companies, they shall obtain from the officers of each road a sworn statement of its gross earnings for the year next preceding, and shall affix a valuation upon such road, sufficient to yield a tax for State and county purposes equal to one and one-half per cent. of such gross earnings."

On motion of Mr. Grant, the amendment was laid on the table.

Sections 7, 8, 9 and 10 were adopted.

Chapter IV, as amended, was adopted.

Pending the consideration of the revenue bill, on motion of Mr. Gulledge, the house adjourned until to-morrow morning, 10 o'clock.

THIRTY-SIXTH DAY.

TUESDAY, February 8, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Gwin.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Carson, Cashin, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Mathews, Mitchell, Nelson, Price, Purcell, Reese, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Woolf and Wynne—84.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Mr. Jones' of Pickens, leave of absence was extended for five days on account of the continued illness of his family.

BILLS ON SECOND READING.

The bills—

H. B. 382. To establish separate school districts within the several counties in this State;

H. B. 387. To authorize and regulate the payment and collection of interest, at Montgomery, on the bonds of the State belonging to the agricultural and mechanical College;

Were severally read the second time and referred to the committee on fees and salaries.

The bill—

H. B. 381. To abolish the office of county treasurer;

Was read the second time and referred to the special committee, of which Mr. Chambers is chairman, upon the bill in regard to incorporation of fence districts.

The bills—

H. B. 386. To exempt money derived from life insurance policies from the claims of creditors;

H. B. 392. To provide for the use of copies of depositions and other papers in evidence, lost or destroyed;

H. B. 393. To amend section 2961 of the Revised Code;

And the senate bills—

S. B. 18. To allow married women, in certain cases, to sue in their own names;

S. B. 253. To give parties who let land on shares a lien for their share, and for advances to aid in gathering and collecting the crop;

Were severally read the second time and referred to the committee on the judiciary.

The bill—

H. B. 395. To make intoxication a misdemeanor;

Was read the second time.

Mr. Edwards moved to amend section 2, by striking out "twenty" and "fifty," and inserting "five" and "twenty."

The bill, with the amendment, was referred to committee on the judiciary.

The bills—

H. B. 384. To authorize W. W. Wilkins, of the county of Clay, to peddle in said county without a license;

H. B. 388. For the relief of persons having but one arm or one leg;

Were severally read the second time and referred to the committee on ways and means.

The bill—

H. B. 390. To prescribe the number, duties and compensation of the officers and employees of each house of the general assembly, and the manner of their election, as required by section 28, article 4, of the constitution;

Was read the second time and referred to the special joint committee on the constitution.

The bill—

H. B. 385. Authorizing certain parties herein named to pay their taxes in Covington county;

Was read the second time and referred to a special committee, consisting of the members from Covington and Conecuh counties.

The bill—

H. B. 389. To repeal an act to provide for the registration of electors in this State, approved March 18, 1875;

Was read the second time and referred to the committee on privileges and elections.

The bill—

H. B. 391. To amend an act to regulate the practice in the circuit court of Mobile county, approved March 1, 1870;

Was read the second time and referred to the committee on local legislation.

The bill—

H. B. 394. To amend an act to fix the number of the officers of the penitentiary and their compensation, approved March 15, 1875;

Was read the second time and referred to the committee on the penitentiary.

The bill—

H. B. 398. To amend an act to incorporate the town of Midway, in Bullock county, approved March 6, 1875;

And the senate bill—

S. B. 288. To extend the charter of the Prattville Manufacturing Company;

Were severally read the second time and referred to the committee on corporations.

The bill—

H. B. 396. To repeal an act prohibiting the sale, or otherwise disposing of spirituous, vinous or malt liquors, within 1½

miles of the academy in the town of Wedowee, in Randolph county;

Was read the second time and referred to the committee on temperance.

The bill—

H. B. 399. To amend an act to amend the first section of the act to provide for the funding of the domestic debt of the State, approved December 19, 1873,

Was read the second time and referred to the committee on finance.

The bill—

H. B. 397. To establish, organize and regulate a system of public instruction for the State of Alabama;

Was read the second time and referred to the committee on education, and 150 copies ordered printed.

SENATE BILLS ON FIRST READING.

The senate bills—

S. B. 277. To incorporate the Matthews Cotton Mills Company;

S. B. 245. To repeal an act to authorize the Governor to settle with the Montgomery & Eufaula Railroad Company, approved April 15, 1873;

Were severally read once and ordered to a second reading on to-morrow.

By leave, Mr. Woolf, from the judiciary committee, reported favorably to the bill—

H. B. 308. To establish a court of county revenue for Dallas county;

Which bill was read the third time and passed—yeas 56, nays 24.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Lee, Gulleage, Hamilton, Harris, of Chambers, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Nelson, Price, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf—56.

Those who voted nay are—

Messrs. Allen, Baldwin, Bennett, Blevins, Bliss, Boyd,

Bozeman, Brantley, Cashin, Cook, Cockrell, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Mathews, Reid, Sims, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—24.

Mr. Woolf moved to reconsider the vote adopting section seven, chapter four, of the bill—

H. B. 341. To establish a revenue code for the State of Alabama ;

Which, on motion of Mr. Betts, was laid on the table.

UNFINISHED BUSINESS.

The house next proceeded to the consideration of the bill—

H. B. 176. To provide for the incorporation of fence districts in this State.

On motion of Mr. Chambers, the further consideration of the bill was postponed until to-morrow, when the "unfinished business" is taken up.

By leave, the following bills were introduced :

By Mr. Franklin—

H. B. 400. To provide for a vote of the people on the subject of a permanent location of the county site of DeKalb county.

By Mr. Grant—

H. B. 401. For the relief of C. N. Jelks.

By Mr. Woolf, (with petition and evidence of publication of notice, &c.)—

H. B. 402. To repeal an act to incorporate the town of Lowndesboro, in Lowndes county, and to amend the charter of the town of Hayneville, approved February 20, 1866, so far as the same applies or relates to Lowndesboro.

Also—

H. B. 403. To limit the length of the terms of the circuit court of Dallas county.

By Mr. Heaton—

H. B. 404. To legalize and ratify the settlement and payment of all claims, heretofore settled and paid by the present county treasurer of Randolph county ;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Price, from the special joint committee on the constitution, reported favorably to the bill—

H. B. 379. To regulate the appointment and jurisdiction of notaries public, with like jurisdiction of justices of the peace and other notaries ;

Which bill was read the third time and passed—yeas 59, nays 16.

Those who voted yea are—

Messrs. Allen, Andrews, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Leslie, Maples, Mitchell, Nelson, Price, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—59.

Those who voted nay are—

Messrs. Aldridge, Baldwin, Boyd, Bozeman, Cook, Cockrell, Harris of Dallas, Harris of Perry, Kirkland, Lee, Lewis, Locke, Mathews, Reid, Witherspoon, Wood of Marengo, and Wynne—16.

On motion of Mr. Rice, the bill—

H. B. 277. To compel hunters of wild hogs and other animals, to give public notice of the same;

Which was made the special order for 1 p. m. to-day, was recommitted.

Mr. Billups presented a petition of citizens of Greene county, asking for the enactment of a stringent “dog law;”

Which was referred to the committee on agriculture and commerce.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported correctly enrolled the bill—

H. B. 144. To establish the city court of Selma.

And the speaker, in the presence of the house and immediately after the title had been publicly read, signed the said bill.

REVENUE BILL.

The house next proceeded to the consideration of the bill—

H. B. 341. To establish a revenue code for the State of Alabama.

Chapter five being under consideration, section one was adopted.

Section two.

Mr. Barron moved to amend by adding at the end of first line the words, "publication in some newspaper published in said county, and if there is no newspaper published in said county, then by."

On motion of Mr. Dillon, the amendment was laid on the table.

Mr. Straughn moved to amend by striking out the words "thirty days," in line one, and inserting in lieu thereof the words "fifteen days."

On motion of Mr. Barnett, the amendment was laid on the table.

Mr. Billups moved to amend by inserting in line two, after the word "by," the word "printed."

On motion of Mr. Purcell, the amendment was laid on the table.

Mr. Betts moved to amend by adding at the end of the section the following: "but he shall be entitled to no fees from persons who did attend the first appointment, but who fail to attend the second for such failure." Adopted.

Section two, as amended, was adopted.

Sections three and four were adopted.

Mr. Betts moved to amend section five by striking out all after the word "judgment," in line four, down to and including the word "same," in line five. Adopted.

Section five was then adopted.

Mr. Gibson moved to amend section six by inserting after the word "assessed," in line four, the words, or has not been assessed." Lost.

Section six was adopted.

Mr. Chambers moved to amend section seven by striking out the words "amount of the tax," in line nine, and inserting the words, "statement of the amount and kind of tax funds." Adopted.

Section seven, as amended, was adopted.

Mr. Mitchell moved to amend section eight by adding after the word "entered," in line two, the words "by the assessor;" also amend by adding after the word "extended," in line six, the words "showing the amount of each person's tax." Lost.

Mr. Price moved to amend by adding after the word "page," where it last occurs in line seven, section eight, the words, "if practicable." Lost.

Mr. Billups moved to amend by adding at the end of section eight the words, "by the first Monday of July." Adopted.

Section eight, as amended, was adopted.

Mr. Ross moved to amend by striking out all after the word "unknown," in line five, section nine, down to the end of said section. Adopted.

Section nine, as amended, was adopted.

Section ten was adopted.

Mr. Barnett moved to amend section eleven by striking out all after the word "State," in line five, down to the end of said section. Adopted.

Section eleven, as amended, was adopted.

Section twelve was adopted.

Section Thirteen.

Mr. Mitchell moved to amend by inserting after the word "year," in line 2, the words "after the year 1876." Adopted.

Mr. Price moved to amend by adding at the end of the section the following: "Provided, That in Mobile county such return shall be made on or before the first Monday in August in each year." Adopted.

Section thirteen, as amended, was adopted.

Mr. Barnett moved to amend section 14 by striking out "two," where it occurs in line eight, and inserting "one and one-half." Adopted.

Mr. Wilson moved to amend by striking out all after the word "balance," in line eight, down to and including the words "ten per cent." in line nine, same section. Lost.

Mr. Chambers moved to amend by adding the following at the close of the section:

"Provided, That in settlements with the assessor, the tax collector shall pay him in like currency, or State obligations, which have been collected, giving him a pro rata proportion of each."

Mr. Jones of Russell moved, as a substitute, to add the following:

"Provided, said commissions shall be paid in State obligations." Lost.

And the amendment of Mr. Chambers was lost.

Section 14, as amended, was adopted.

Section Fifteen.

Mr. Mitchell moved to amend by inserting after the word "cents," in line three, the following: "if in the country, and twenty-five cents in any incorporated city or town."

Which, on motion of Mr. Grant, was laid on the table.

Mr. Price moved to amend by striking out "fifty," where it occurs in line two, and inserting "seventy-five." Lost.

Mr. Brown moved to amend by adding at the end of the section the following:

"Provided, That no compensation shall be allowed the assessor on polls assessed and not collected." Adopted.

Section 15, as amended, was adopted; and chapter 5, as a whole, was adopted.

Pending the consideration of the revenue bill,

On motion of Mr. Wilson, the house took a recess until 3½ o'clock p. m.

— EVENING SESSION.

The house reassembled at the hour of 3½ p. m., and proceeded with the consideration of the revenue bill—

CHAPTER SIX.

Sections one and two were adopted.

Mr. Betts moved to amend section three, by adding at the close of said section the following:

"In case of failure to attend the first appointment, he shall not be entitled to any fee from any person who, having attended the first appointment, fails to attend the second."

Lost.

Section three was adopted.

Section Four.

Mr. Leslie moved to amend by adding after the word "and," in line seven, the following: "Specifying the nature and kind of funds in which said tax has been collected." Adopted.

Mr. Harris of Perry moved to amend by adding after the word "commissioners," in line sixteen, the words "and grand jury." Lost.

Mr. Woolf moved to amend by striking out the word "conclusive," in line nine, and inserting "*prima facie*." Adopted.

Mr. Woolf moved to amend by striking out all after the word "tax payer," in line six, down to and including the word "act" in seventh line. Adopted.

Section four, as amended, was adopted.

Mr. Barnett moved to amend section five, line one, by inserting the word "thirty" before the word "first." Adopted. Section five was adopted.

Section Six.

Mr. Price moved to amend by adding after the word "residence," in line five, "or place of business." Lost.

Mr. Harris of Perry moved to amend by adding after the word "written," in sixth line, "or printed." Adopted.

Mr. Woolf moved to amend by striking out the word "penalties," in line four, and the words "and forfeitures," in line six. Adopted.

Section six, as amended, was adopted.

Section seven was adopted.

Section Eight.

Mr. Betts moved to amend by striking out the words "the identical funds," in line thirteen, and inserting "all moneys." Also, add after the word "him," in same line, "in the same kind of funds which he received from the tax payer." Adopted.

Mr. Chambers moved to amend by inserting after the word "taxes," in eleventh line, "giving to each a due proportion of the several kinds of funds collected." Adopted.

Mr. Stallworth moved to amend by inserting after the word "land," in line seven, "and account to the auditor for lands." Adopted.

Also, to strike out the word "due," in line five, and insert "received or collected." Adopted.

Section eight, as amended, was adopted.

Section Nine.

Mr. Harris of Perry moved to amend by adding after the word "notice," in line three, "by posting bills." Adopted.

Mr. Betts moved to amend by striking out "January," in line one, and inserting "February." Adopted.

On motion of Mr. Woolf, the vote adopting the amendment was reconsidered, and the amendment laid on the table.

Reconsideration of Section Fourteen, Chapter Five.

On motion of Mr. Wood of Talladega, the vote by which section fourteen, chapter five, was adopted, was reconsidered.

Mr. Greene of Lee moved to amend by adding after the word "State," in second line, "a pro rata share out of each kind of funds collected by him." Adopted.

Section fourteen, chapter five, as amended, was then adopted.

Pending the consideration of section nine, chapter six, the following message from the Governor was received:

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

February 8, 1876.

Mr. Speaker:

The Governor has approved the following bills, which originated in the house of representatives:

H. B. 144. To establish the city court of Selma.

H. B. 207. For the relief of small tax payers.

Respectfully,

L. R. DAVIS,
Private Secretary.

Pending the consideration of the revenue bill—

On motion of Mr. Lewis, the house adjourned until tomorrow morning, 10 o'clock.

THIRTY-SEVENTH DAY.

WEDNESDAY, February 9, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Gwin.

On the call of the roll, the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Gullede, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones

of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—84.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Gilmer of Montgomery, for five days, on account of sickness.

By leave, Mr. Smith of Franklin, offered the following resolution, which was adopted:

Resolved, That the committee on ways and means be instructed to report to the house the senate bill, to authorize the governor to refund money, received by the State for commissions, to persons appointed to take the census for the State, in 1875.

Whereupon, Mr. Barnett, from the committee on ways and means, reported a substitute for the senate bill—

s. B. 98. To authorize the governor to refund money, received by the State for commissions, to persons appointed to take the census for the State, in 1875.

The substitute being entitled an act for the relief of census takers;

The substitute was adopted, and the bill was read the third time and passed—yeas 72, nays 10.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Bonner, Bozeman, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Nelson, Price, Purcell, Reid, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, and Woolf—72.

Those who voted nay are—

Messrs. Bennett, Billaps, Blevins, Bliss, Boyd, Brantley, Martin, Reese, Witherspoon, and Wynne—10.

On motion of Mr. Grant, the vote by which the bill—

H. B. 343. For the relief of Charles Martin and A. Clark, composing the firm of Martin & Clark, in Calhoun county ;

Was referred to the committee on local legislation, was reconsidered, and the bill referred to a special committee of three.

SENATE BILLS ON SECOND READING.

The bill—

H. B. 401. For relief of C. N. Jelks ;

Was read the second time.

Mr. Grant moved that the bill be referred to a special committee of three.

Mr. Hamilton moved to refer it to the committee on accounts and claims.

The question being put on referring to the committee on accounts and claims, it carried.

The bill—

H. B. 400. To provide for a vote of the people, on the subject of a permanent location of the county site of DeKalb county ;

Was read the second time, and referred to the committee on counties and county boundaries.

The bills—

H. B. 404. To legalize and ratify the settlement and payment of all claims heretofore settled, and paid by the present county treasurer of Randolph county ;

H. B. 403. To limit the length of the terms of the circuit court of Dallas county ;

Were severally read the second time, and referred to the committee on local legislation.

The bill—

H. B. 402. To repeal an act to incorporate the town of Lowndesboro, in Lowndes county, and to amend the charter of the town of Hayneville, approved February 20, 1866, so far as the same applies or relates to Lowndesboro ;

Was read the second time, and referred to the committee on corporations.

SENATE BILLS ON SECOND READING.

The senate bill—

S. B. 245. To repeal an act to authorize the governor to settle with the Montgomery & Eufaula rail road company, approved April 15, 1873 ;

Was read the second time, and referred to the committee on finance.

The senate bill—

To incorporate the Mathews' cotton mills company;

Was read the second time, and referred to the committee on corporations.

UNFINISHED BUSINESS.

The house next proceeded to the consideration of the bill—

H. B. 176. To provide for the incorporation of fence districts in this State.

On motion of Mr. Chambers, the bill was considered by sections.

Mr. Chambers moved to amend section 1, line 8, by striking out the words, "a fee," and insert in lieu thereof the words, "the sum." Adopted.

As amended, section 1 was adopted.

Section 2, adopted.

Mr. Smith of Franklin, moved to amend section 3, line 3, by striking out the words, "three," and insert in lieu thereof the word "twelve." Adopted.

Section 3, as amended, was adopted.

Section 4 was adopted.

Mr. St. John moved to lay the bill on the table. Lost—yeas 42, nays 46.

Those who voted yea are—

Messrs. Allen, Baldwin, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Baker, Brantley, Brown, Carson, Cashin, Clements, Cook, Cockrell, Davis, Fagan, Farriss, Gibson, Greene of Jefferson, Harris of Chambers, Kirkland, Lee, Lewis, Locke, Martin, Mathews, McDuffie, Reese, Reid, Stevens, St. John, Stribling, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—42.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Boyd, Bozeman, Brewer, Chambers, Clements, Crews, Dickson, Dillon, Edwards, Espy, Fielder, Forsyth, Franklin, Gulledge, Hamilton, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Leslie, Maples, Mitchell, Nelson, Price, Purcell, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Straughn, Tate and Woolf—45.

Section Five.

Mr. Mathews moved to amend, by striking out the entire section. Lost.

Mr. Woolf moved to amend line 1, by inserting between the words "all," and "freehold," the word "male."

Mr. Reid moved to amend the amendment by adding thereto the following: "Provided, That all electors, who are engaged in agriculture, shall have a vote."

Mr. Brown moved that the further consideration of the bill be indefinitely postponed;

Pending the consideration of which, the hour of 12 m. having arrived, the house proceeded to the consideration of the special order for that hour, viz., the bill—

H. B. 341. To establish a revenue code for the State of Alabama.

The question pending being the consideration of section 9, chapter 6,

Mr. Betts moved to amend by striking out "shall," in line two, and inserting "may." Lost.

Mr. Wharton moved to amend by striking out "may," in sixth line, and inserting "shall"—also, strike out the word "courthouse" in said line. Lost.

Mr. Gullledge moved to amend by striking out the words "forfeitures and penalties," in line five. Adopted.

Mr. Barnett moved to amend by inserting in lieu of "&c." in line 7, the words "fees and costs." Adopted.

Section 9, as amended, was adopted.

Section Ten.

Mr. Clements moved to amend by striking out all after the word "Selma" down to and including the word Montgomery, in fifth line. Adopted.

Mr. Clements moved to amend by inserting after the word "unsafe," in line ten, the words "or refuse to receive such deposits." Also, strike out the word "and" in said line, and insert in lieu thereof "or." Adopted.

Mr. Tate moved to amend by adding after the word "and," at the end of line 11, the word "safe." Adopted.

Mr. Rice moved to amend by adding after the word "Selma," the following, "and the tax collector of Madison county must, in like manner, deposit in the National Bank of Huntsville." Adopted.

Mr. Clements moved to amend by adding after the word "Huntsville," the following, "and the tax collector of Tuscaloosa county must, in like manner, deposit in the first National Bank of Tuscaloosa." Adopted.

Mr. Chambers moved to strike out all of said section after the word "voucher," in ninth line.

On motion of Mr. Straughn, the amendment was laid on the table.

Mr. Wharton moved to amend by adding after the word "established," in line 14: Provided, That the tax collector shall be responsible on his bond for any deposit made under this section.

Mr. Billups moved to lay the amendment on the table.

Lost—yeas 38, nays 40.

Those who voted yea are—

Messrs. Speaker, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Bozeman, Brewer, Brown, Cashin, Clements, Davis, Dickson, Dillon, Edwards, Espy, Fielder, Gibson, Harris of Perry, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Locke, Nelson, Purcell, Rice, Ross, Shepard, Sims, Smith of Franklin, Straughn and Woolf—38.

Those who voted nay are—

Messrs. Allen, Aldridge, Andrews, Bell, Bennett, Blevins, Boyd, Brantley, Carson, Chambers, Cockrell, Farriss, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Jones of Russell, Lee, Leslie, Lewis, Maples, Martin, Matthews, Mitchell, Reese, Reid, Shepard, Stevens, St. John, Stribling, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—40.

The amendment was lost—yeas 35, nays 45.

Those who voted yea are—

Messrs. Allen, Aldridge, Bell, Blevins, Bliss, Boyd, Brantley, Chambers, Cockrell, Farriss, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Jones of Russell, Lee, Lewis, Maples, Martin, Matthews, Reid, Shepard, Stevens, St. John, Stribling, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—35.

Those who voted nay are—

Messrs. Speaker, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Bonner, Bozeman, Brewer, Brown, Cashin, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fielder, Forsyth, Franklin, Harris of Perry, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Locke,

Mitchell, Nelson, Price, Purcell, Reese, Rice, Ross, Rousseau, Sims, Smith of Franklin, Straughn, Tate and Woolf—45.

And the question being put on adopting section 10, as amended, it was lost—yeas 39, nays 44.

Those who voted yea are—

Messrs. Speaker, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Clements, Crews, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Hamilton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Nelson, Price, Purcell, Rice, Ross, Rousseau, Sims, Smith of Franklin, Straughn, Troup and Woolf—39.

Those who voted nay are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Bell, Bennett, Blevins, Bliss, Boyd, Bozeman, Brantley, Carson, Cashin, Chambers, Cockrell, Davis, Fagan, Grant, Greene of Jefferson, Gulledge, Harris of Chambers, Harris of Perry, Heaton, Jones of Russell, Lee, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Reese, Reid, Shepard, Stevens, St. John, Stribling, Tate, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—44.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

February 9, 1876.

Mr. Speaker :

The senate has originated and passed the following bills—

s. B. 297. To remit the penalties imposed under section 15 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

s. B. 274. To authorize the issuance of branch summons by justices of the peace.

s. B. 273. To amend sections 4304 and 4305 of the Revised Code.

s. B. 304. To amend an act to amend sections 2961 and 2962 of the Revised Code.

s. B. 291. To amend section one of an act to prohibit attorneys, in certain cases, from practicing their profession in the probate and chancery courts, approved February 11, 1871.

The senate concurred in the house amendment to the senate bill—

s. B. 4. To execute the power of disposal of lands granted by an act of congress, entitled an act granting public lands

in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State, approved June 3, 1856, which power of disposal is conferred upon the legislature by said act of congress.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

Pending the consideration of the revenue bill—

On motion of Mr. Wharton, the house took a recess until 4 o'clock this evening.

AFTERNOON SESSION.

House met at 4 o'clock, p. m.

Mr. Wilson moved to reconsider the vote by which the house refused to adopt section ten of the bill—

H. B. 341. To establish a revenue code for the State of Alabama. Carried—yeas 38, nays 22.

Those who voted yea are—

Messrs. Speaker, Baldwin, Beirne, Betts, Billups, Bonner, Brewer, Brown, Clements, Crews, Dillon, Edwards, Espy, Farriss, Gibson, Hamilton, Higgins, Holloway, Huey, Kirkland, Lee, Leslie, Locke, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau, Sims, Smith of Franklin, Townsend, Troup, Wilson, Wood of Marengo, Woolf and Wynne—38.

Those who voted nay are—

Messrs. Aldridge, Andrews, Bell, Bliss, Boyd, Chambers, Cockrell, Davis, Franklin, Greene of Jefferson, Gulledge, Harris of Chambers, Harris of Perry, Heaton, Jones of Russell, Lewis, Maples, Martin, Shepard, Stevens, Wharton and Wood of Talladega—22.

On motion of Mr. Townsend, the further consideration of the section was postponed until to-morrow, when the revenue bill comes up for consideration.

The house then proceeded to the consideration of chapter six of the revenue bill.

Sections eleven and twelve were adopted.

Mr. Harris of Perry, moved to amend section thirteen by striking out the word "due," where they occur in lines two and three, and insert in lieu thereof the word "assessed."

On motion of Mr. Clements, the amendment was laid on the table.

Sections thirteen and fourteen were adopted.

Mr. Woolf moved to amend section fifteen, line nine, by inserting the word "shall" after the word "be." Adopted.

Section fifteen, as amended, was adopted.

Mr. Mitchell moved to amend section sixteen by adding thereto the following: "which excess so paid over shall be kept as a special fund." Adopted.

Mr. Betts moved to amend same section, line three, by inserting after the word "shall" the words "pay over to the owner if present, if not shall." Adopted.

Section sixteen, as amended, was adopted.

Mr. Price moved to amend section seventeen, line three, by striking out the words "he shall present," and insert in lieu thereof the words "upon presentation," and also by adding at the end of said section the following: "shall be accordingly paid." Adopted.

Section seventeen, as amended, was adopted.

Mr. Higgins moved to amend section eighteen, line six, by striking out the word "he," and insert in lieu thereof the words "said tax collector." Adopted.

Section eighteen, as amended, was adopted.

Section Nineteen.

Mr. Barnett moved to amend line seven by striking out the word "two," and insert the words "one and one half." Adopted.

Mr. Gibson moved to amend by striking out from the word "follows," in line three, down to the word "dollars," in line four; also strike out from the word "remainder," in line five, down to and including the word "balance," in line eight;

Which, on motion of Mr. Grant, was laid on the table.

Mr. Billups moved to amend by striking out all after the word "balance," in line eight. Lost.

Section nineteen, as amended, was adopted.

Section twenty was adopted.

Mr. Lewis moved to amend by striking out the whole of section 21.

On motion of Mr. Billups, the amendment was laid on the table.

Sections twenty-one and twenty-two were adopted.

Chapter VI, (with the exception of section ten) as amended, was adopted.

CHAPTER VII.

Sections one and two were adopted.

Mr. Aldridge moved to amend section three, line six, by inserting after the word "present" the words "or a majority." Adopted.

Section three, as amended, was adopted.

Sections four, five, six and seven were adopted.

Section Eight.

Mr. Chambers moved to amend line two by inserting after the word "required" the words "for current expenses of." Adopted.

Mr. Ross moved to amend line two by striking out the word "July," and insert in lieu thereof the word "August." Adopted.

Mr. Billups moved to amend by adding at the close of the section: "Provided further, That for performing the duties required of the probate judge in this section, he shall receive such compensation as the commissioners court may allow, not to exceed in any case twenty-five dollars." Adopted.

Mr. Woolf moved to reconsider the vote adopting the amendment. Carried.

Pending the consideration of the amendment, by motion of Mr. Grant, the house adjourned until to-morrow morning, 10 o'clock.

THIRTY-EIGHTH DAY.

THURSDAY, February 10, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Gwin.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton,

Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—86.

The journal of yesterday was read and approved.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after their titles had been publicly read, signed the senate bills—

S. B. 4. To execute the power of disposal of lands granted by an act of congress, entitled an act granting public lands in alternate sections to the State of Alabama, to aid in the construction of certain railroads in said State, approved June 3d, 1856, which power of disposal is conferred upon the legislature of Alabama by said act of congress.

S. B. 33. To amend section 3-36 of the Revised Code as it now stands in said code, and to repeal certain acts therein named.

SENATE BILLS ON FIRST READING.

The senate bills—

S. B. 273. To amend sections 4304 and 4305 of the Revised Code.

S. B. 274. To authorize the issuance of branch summons by justices of the peace.

S. B. 297. To remit the penalties imposed under section 15 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

S. B. 291. To amend section one of an act to prohibit attorneys in certain cases from practicing their profession in the probate and chancery courts, approved February 11, 1871.

S. B. 304. To amend an act to amend sections 2961 and 2962 of the Revised Code ;

Were severally read once and ordered to a second reading on to-morrow.

UNFINISHED BUSINESS.

The house next proceeded to the consideration of the bill—

H. B. 176. To provide for the incorporation of fence districts in this State.

The question pending being the motion to indefinitely postpone the further consideration of the bill. The motion carried.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced :

By Mr. Tate—

H. B. 405. To require tax assessors to take the census of certain property in this State.

By Mr. Greene of Jefferson, (with petition and evidence of publication of notice, &c.)—

H. B. 406. To repeal so much of an act to prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters, or other intoxicating beverages, within two and a half miles of the Pierce Coal Mines, in section twelve, township fourteen, range three, west, and also within two and a half miles of Newcastle Coal Mines in Jefferson county, approved December 17, 1873, as relates to the Pierce Coal Mines.

By Mr. Grant—

H. B. 407. To regulate the fees of jurors and bailiffs in Montgomery county.

Also,

H. B. 408. To regulate the business of and to limit the sessions of the city court of Montgomery.

By Mr. Huey—

H. B. 409. To amend section 2654 of the Revised Code.

By Mr. Chambers—

H. B. 410. To amend an act to prevent fraud in weighing and sampling cotton, and to regulate the same, approved April 10, 1873.

Also,

H. B. 411. To regulate the delivery of freight by the railroads of this State.

By Mr. Wood of Talladega—

H. B. 412. To amend so much of an act to divide the State into eight congressional districts, approved February 13, 1875, as relates to the fifth and seventh districts.

By Mr. Clements—

H. B. 413. To secure the safe and economical transportation of persons sentenced to imprisonment in the penitentiary, and to provide compensation therefor.

By Mr. Stribling—

H. B. 414. To detach Washington county from the western chancery division, and attach same to the southern chancery division.

By Mr. Tate—

H. B. 415. To authorize the incorporation of railroad companies in this State ;

Which bills were severally read once, and ordered to a second reading on to-morrow.

By Mr. Kirkland—

H. B. 416. Joint memorial of the general assembly of Alabama to Congress of United States, asking appropriation for survey of Sipsey River, in this State ;

Which was read and adopted.

Mr. Townsend presented petition of citizens of Limestone county, asking for the passage of a law imposing a tax upon dogs ;

Which was referred to the committee on agriculture and commerce.

Mr. Woolf presented memorial of citizens of Marengo county in favor of increasing the jurisdiction of justices of the peace ;

Which was referred to the committee on the judiciary.

Mr. Grant presented memorial of citizens of Lowndes county to the general assembly of Alabama, praying for the expulsion of H. A. Carson, representative, and John M. Jones, senator, from said county ;

Which was referred to the committee on privileges and elections.

On motion of Mr. Grant, the clerk was instructed to send a certified copy of the memorial to the senate.

Mr. Clements presented a petition from citizens of Perry county against the establishment of the court of quarter sessions in Perry county ;

Which was referred to the judiciary committee.

Mr. Wood of Talladega offered the following joint resolution, which was adopted :

Resolved by the House of Representatives (the Senate concurring.) That the Governor be and he is hereby authorized to appoint three additional members on the centennial commission.

Mr. Straughn, from special committee, reported favorably to the bill—

H. B. 385. To authorize certain parties, herein named, to pay their taxes in Covington county ;

Which bill was read the third time and passed—yeas 64, nays 10.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fielder, Forsyth, Franklin, Gibson, Greene of Jefferson, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Maples, Mitchell, Nelson, Price, Purcell, Reid, Rice, Ross, Shepard, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—64.

Those who voted nay are—

Messrs. Blevins, Brantley, Cockrell, Harris of Dallas, Harris of Perry, Lee, Locke, Reese, Witherspoon and Wynne—10.

By leave, Mr. Maples, from the committee on temperance, reported favorably to the bill—

H. B. 365. To incorporate Haw Ridge Baptist Church, in Dale county, and Haw Ridge Academy, in Coffee county;

Which bill was read the third time and passed—yeas 53, nays 15.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barron, Bell, Billups, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Dickson, Edwards, Espy, Fagan, Forsyth, Franklin, Gibson, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Shepard, Smith of Franklin, Stevens, Stribling, Tate, Townsend, Troup and Wilson—53.

Those who voted nay are—

Messrs. Betts, Blevins, Boyd, Bozeman, Brantley, Carson, Dillon, Harris of Dallas, Lewis, Locke, Martin, Witherspoon, Wood of Marengo, Woolf and Wynne—15.

REPORTS FROM STANDING COMMITTEES.

Mr. Beirne, from the judiciary committee, reported favorably to the senate bill—

S. B. 21. In relation to the custody and expenditure of funds belonging to minors in certain cases;

Which bill was read the third time and passed—yeas 71, nays 2.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fielder, Forsyth, Franklin, Gibson, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf—71.

Those who voted nay are—

Messrs. Blevins and Witherspoon—2.

Also, favorably to the senate bill—

s. B. 89. To prevent white and colored prisoners from being imprisoned together in the same apartments, before conviction.

Mr. Witherspoon moved to recommit the bill. Lost—yeas 23, nays 55.

Those who voted yea are—

Messrs. Allen, Baldwin, Bennett, Blevins, Bliss, Boyd, Bozeman, Brantley, Cashin, Cook, Cockrell, Fagan, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, Reese, Reid, Witherspoon and Wood of Marengo—23.

Those who voted nay are—

Messrs. Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Greene of Jefferson, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Nelson, Price, Prowell, Purcell, Rice, Ross, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton and Woolf—55.

Mr. Lewis moved that the further consideration of the bill be postponed until Thursday next, 1 p. m., and be made the special order for that hour. Lost.

And the bill was read the third time and passed—yeas 60, nays 20.

Those who voted yea are—

Mess. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brown,

Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Heaton, Herman, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Nelson, Prowell, Purcell, Reid, Rice, Ross, Shepard, Smith of Franklin, Stevens, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon and Woolf—60.

Those who voted nay are—

Messrs. Allen, Baldwin, Bennett, Blevins, Boyd, Bozeman, Brantley, Cashin, Cook, Fagan, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, McDuffie, Reese and Wood of Marengo—20.

SPECIAL ORDER.

The hour of twelve o'clock having arrived, the house proceeded to the consideration of the bill—

H. B. 341. To establish a revenue code for the State of Alabama;

The question pending being the adoption of section ten, chapter six.

It was adopted—yeas 49, nays 30.

Those who voted yea are—

Mess. Speaker, Allen, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Clements, Crews, Dickson, Dillon, Espy, Fielder, Forsyth, Gibson, Hamilton, Harris of Dallas, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Locke, Martin, Mitchell, Nelson, Prowell, Purcell, Rice, Ross, Smith of Franklin, Tate, Troup, Wharton, Wilson and Woolf—49.

Those who voted nay are—

Messrs. Aldridge, Andrews, Bell, Blevins, Brantley, Chambers, Cook, Cockrell, Davis, Fagan, Farriss, Franklin, Grant, Greene of Jefferson, Harris of Chambers, Harris of Perry, Heaton, Jones of Russell, Lewis, Maples, McDuffie, Reese, Reid, Shepard, Stevens, Stribling, Wharton, Witherspoon, Wood of Marengo and Wood of Talladega—30.

The house then proceeded to the consideration of section eight, chapter seven, the question pending being the amendment of Mr. Billups.

Mr. Billups moved to amend the amendment, by way of a substitute, as follows :

In line six, strike out the word "make" and insert the following: "let to the lowest bidder the making of."

Which, on motion of Mr. Fielder, was laid on the table.

Mr. Woolf moved to amend the amendment by striking out the words "not to exceed in any case twenty-five dollars."

Mr. Rice moved, as a substitute for the amendment, after the word "the," in the fifth line, add the words "tax collectors, under the supervision of the."

On motion of Mr. Wilson, the amendment and substitute were laid on the table.

Mr. Betts moved to amend by striking out the words "probate judge," at the beginning of line six, and insert "tax assessor." Also, strike out the word "judge," in ninth line, and insert "to the commissioners court, to be by them compared and corrected, and when so corrected, over to the tax collector."

Mr. Harris of Perry offered the following as a substitute: Amend by striking out all in the section after the word "shall," in sixth line, and inserting "file said books in his office as part of the records of his office."

On motion of Mr. Wilson, the amendment and the substitute were laid on the table.

Section eight, as amended, was then adopted.

Sections nine and ten were adopted.

Chapter seven, as amended, was adopted.

CHAPTER EIGHT.

Mr. Gullledge moved to amend section one, by striking out the word "penalties," in sixth line. Adopted.

Section one, as amended, was adopted.

Mr. Barnett moved to amend section two, by way of a substitute. The substitute was adopted.

Mr. Barnett moved to amend section three, by adding after the word "advertised" the following: "are known to." Adopted.

Section three, as amended, was adopted.

Mr. Aldridge moved to strike out the word "penalties," in second line of section four. Adopted.

Section four, as amended, was adopted.

Sections five and six were adopted.

On motion of Mr. Barnett, the word "penalties," in fourth line of section seven, was stricken out.

Section seven, as amended, was adopted.

On motion of Mr. Chambers, the consideration of section eight was postponed until this evening.

Section nine was adopted.

Section Ten.

Mr. Ross moved to amend by adding after the word "concerned," in second line, "or interested." Adopted.

Mr. Woolf moved to amend by adding the word "assessor" after "any," in first line. Also, the same word after "such," in line five. Adopted.

Section ten, as amended, was adopted.

Section Eleven.

Mr. Gulledge moved to amend by striking out the word "forfeiture," in line five. Adopted.

Mr. Barnett moved to amend by striking out the word "show" and inserting "contain." Also, insert after the word "property," in same line, "and show." Adopted.

Section eleven, as amended, was adopted.

Sections twelve and thirteen were adopted.

Mr. Chambers moved to amend, by adding at the end of section fourteen, "such payment shall be made in the same kind of funds collected." Adopted.

Section fourteen, as amended, was adopted.

Sections fifteen and sixteen were adopted.

Section Seventeen.

Mr. Mitchell moved to amend by inserting after the word "interest," in 7th line, "on the purchase money." Adopted.

Mr. Betts moved to amend by striking out all after the word "therein," in 2d line, down to the word "at," in 3d line. Adopted.

Section 17, as amended, adopted.

Mr. Mitchell moved to amend section 18, by adding after the word "treasury," in 2d line, "said deposit shall be kept separate and apart from the general fund of the county." Adopted.

Section 18, as amended, adopted.

Sections 19, 20 and 21, were adopted.

Section Twenty-two.

Mr. Mitchell moved to amend by adding after the words

"bid for," in 17th line, "and the said property was stricken off to him at that price," and strike out all after the word "collector," in 18th line, down to and including the word "price," in 19th line. Adopted.

Mr. Betts moved to amend by striking out all after the word "at," in 9th line, down to the word "begun," and inserting "a sale or an adjourned sale." Adopted.

Mr. Price moved to amend by inserting before the word "and," in 22d line, ("if such certificate has been assigned.") Adopted.

Section 22, as amended, adopted.

Sections 23, 24, 25, 26 and 27, were adopted.

Chapter 8, with the exception of section 8, was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 10, 1876.

Mr. President :

The senate has originated and passed the following bills:

s. B. 106. To make appropriations for the support of the public schools of this State.

And has amended, as therein shown, and passed, house bill—

s. B. 162. To fix the times of holding the circuit courts, in and for the third judicial circuit of this State.

Respectfully,

S. B. BREWER,
Secretary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 10, 1876.

Mr. Speaker :

The senate concurs in the house amendment to the senate bill—

s. B. 98. To authorise the Governor to refund money, received for commissions, to persons appointed to take the census for the State, in 1875.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

The senate bill—

s. B. 106. To make appropriations for the support of the public schools of this State;

Was read once and ordered to a second reading on to-morrow.

Pending the consideration of the revenue bill, on motion of Mr. Wilson, the house took a recess until 4 p. m.

EVENING SESSION.

The house reassembled at the hour of 4 p. m., and proceeded to the consideration of the revenue bill.

On motion of Mr. Chambers, the consideration of section 8, chapter 8, was postponed until to-morrow.

CHAPTER NINE.

Section 1, adopted.

Mr. Mitchell moved to amend section 2, by adding after the end of said section "and no greater fee shall be demanded or collected, and any special law to the contrary is hereby repealed."

Mr. Woolf moved, as a substitute, to amend by adding after the word "of," in 7th line, "not more than." Adopted.

Section 2, as amended, was adopted.

Section 3 was adopted.

Mr. Kimmey moved to amend by striking out section 4. Adopted.

On motion of Mr. Woolf, the vote by which section 4 was stricken out was reconsidered, and the section was adopted.

Sections 5 and 6 were adopted.

Section Seven.

Mr. Hamilton moved to amend by striking out "seventy-five," in line 8, subdivision 2, and inserting "fifty."

Mr. Rice moved to lay the amendment on the table. Lost. And the amendment was adopted.

Mr. Wood of Talladega, moved to reconsider the vote adopting section 5;

Which, on motion of Mr. Blevins, was laid on the table.

Section Seven.

Mr. Mitchell moved to amend by striking out "one hundred," in line 9, subdivision 2, and inserting "seventy-five," which, on motion of Mr. Edwards, was laid on the table.

Mr. Maples moved to amend by adding at the end of subdivision 2, the following: "Provided, That no license for the sale of spirituous, vinous or malt liquors, shall be granted for a less time than twelve months."

Mr. Stribling moved to lay the amendment on the table. Lost.

Mr. Woolf moved, as a substitute, to amend by adding at the end of said subdivision, "Provided further, that when a retail license is taken out, after the first of January, the price of the license shall be the same as for a license for twelve months." Adopted.

And the amendment, as amended, was adopted.

Mr. Billups moved to amend subdivision 2, line 11, by adding after the word "bitters," "in quantities of one quart or less."

Mr. Herman moved to amend the amendment by striking out "quart," and inserting "gallon."

On motion of Mr. Blevins, the amendments were laid on the table.

Mr. Andrews moved to amend subdivision three, line twenty-one, by striking out "thirty" and inserting "twenty;"

Which, on motion of Mr. Edwards, was laid on the table.

Mr. McDuffie moved to amend by striking out "thirty dollars" in same subdivision, and inserting "fifteen dollars for wholesale dealers outside of any town;"

Which, on motion of Mr. Bonner, was laid on the table.

Mr. Fielder moved to amend by striking out all after the word "quart," in twenty-sixth line, down to the word "business," in twenty-seventh line;

Which, on motion of Mr. Blevins, was laid on the table.

Mr. Stribling moved to amend by adding after the word "business," in twenty-seventh line, "except to an adult, *bona fide*, offering to purchase;"

Which, on motion of Mr. Blevins, was laid on the table.

Mr. Baker moved to amend by striking out the words "fifty dollars," in line thirty-one, and inserting "two hundred dollars;"

Which, on motion of Mr. Blevins, was laid on the table.

Mr. Harris of Perry moved to amend by striking out the

word "fifty," in line thirty-one, subdivision four, and inserting "one hundred."

Mr. Blevins moved to lay the amendment on the table. Lost—and the amendment was adopted.

Mr. Wilson moved to amend by adding after the word "fruits," in subdivision five, the following: "and skimmings of syrup;"

Which, on motion of Mr. Blevins, was laid on the table.

Mr. Barron moved to amend subdivision five by striking out "fifty" and inserting "five hundred ;"

Which, on motion of Mr. Blevins, was laid on the table.

Mr. Harris of Perry moved to amend said subdivision by striking out all after the word "dollars," in thirty-sixth line ;

Which, on motion of Mr. Prowell, was laid on the table.

Mr. Wilson moved to amend by striking out the words "fifty dollars," in subdivision five, and inserting "one hundred dollars ;"

Which, on motion of Mr. Blevins, was laid on the table.

Mr. Wilson moved to strike out subdivision seven. Lost.

Mr. Dillon moved to amend said subdivision by adding at the end, "that this license shall not apply to counties with a population less than 15,000 inhabitants, unless the trader sells ten head or more."

Pending the consideration of which, on motion of Mr. Beirne, the house adjourned until to-morrow morning, ten o'clock.

THIRTY-NINTH DAY.

FRIDAY, February 11, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Gwin.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirk-

land, Lee, Locke, Maples, Martin, Matthews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—80.

Journal of yesterday was read and approved.

The speaker, in the presence of the house, and immediately after the title had been publicly read, signed the senate bill—
s. B. 98. For the relief of census takers.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Gilmer of Lawrence for five days on account of sickness in his family, and to Fielder and Greene of Jefferson until Monday on account of urgent business.

BILLS ON SECOND READING.

The bill—

H. B. 405. To require tax assessors to take the census of certain property in this State ;

Was read the second time and referred to the committee on ways and means.

The bill—

H. B. 406. To repeal so much of the act to prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or other intoxicating beverages, within two and a half miles of the Pierce coal mines, in section 12, township 14, range 3, west ; and also within two and a half miles of New Castle Coal Mines, in Jefferson county, approved December 17, 1873, as relates to Pierce Coal Mines :

Was read the second time, and referred to the committee on temperance.

The bill—

H. B. 407. To regulate the fees of jurors and bailiffs in the county of Montgomery ;

Was read the second time and referred to the committee on fees and salaries.

The bills—

H. B. 408. To regulate the business of, and to limit the session of the city court of Montgomery.

H. B. 409. To amend section 2654 of the Revised Code.

H. B. 411. To regulate the delivery of freight by the railroads of this State.

And the senate bills—

S. B. 273. To amend sections 4304 and 4305 of the Revised Code.

S. B. 291. To amend section one of an act to prohibit attorneys in certain cases from practicing their professions in the probate and chancery courts, approved 11th February, 1871.

S. B. 304. To amend an act to amend sections 2961 and 2962 of the Revised Code;

Were severally read the second time and referred to the committee on the judiciary.

The bills—

H. B. 412. To amend so much of an act to divide the State into eight congressional districts, approved February 13, 1875, as relates to the fifth and seventh districts.

H. B. 414. To detach Washington county from the western chancery division, and attach same to the southern chancery division.

And the senate bill—

S. B. 274. To authorize the issuance of branch summons by justices of the peace;

Were severally read the second time and referred to the committee on local legislation.

The bill—

H. B. 410. To amend an act to prevent fraud in weighing and sampling of cotton, and to regulate the same, approved April 10, 1873;

Was read the second time and referred to the committee on agriculture and commerce.

The bill—

H. B. 413. To secure the safe and economical transportation of persons sentenced to imprisonment in the penitentiary, and provide compensation therefor;

Was read the second time and referred to the committee on the penitentiary.

The bill—

H. B. 415. To authorize the incorporation of railroad companies in this State;

Was read the second time and referred to a special committee of seven, and 150 copies ordered printed for the use of the house.

The senate bill—

S. B. 106. To make appropriations for the support of the public schools of this State ;

Was read the second time and referred to the committee on education.

The senate bill—

S. B. 297. To remit the penalties imposed under section 15 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875 ;

Was read the second time and referred to the committee on ways and means, with instruction to report by to-morrow.

CALL OF THE COUNTIES.

Upon the call of the counties bills were introduced :

By Mr. Andrews, (with evidence of publication of notice, &c.)—

H. B. 416. To repeal an act to prohibit the sale of liquors within three miles of Richland Baptist church, in Pike county, approved March 18, 1875, so far as it relates to Barbour county.

By Mr. Grant—

H. B. 417. To abolish the offices of tax collector and assessor in Calhoun county.

Also,

H. B. 418. To punish the offense of petit larceny.

By Mr. St. John, (with evidence of publication of notice, &c.)—

H. B. 419. To amend sections 2 and 20 of an act to incorporate the town of Guntersville, in the county of Marshall, approved December 12, 1871.

By Mr. Huey—

H. B. 420. To regulate the assessment, collection and distribution of the poll tax in this State.

By Mr. Chambers—

H. B. 421. To establish and allow bills of exceptions, in certain cases.

By Mr. Kirkland, (with petition and evidence of publication of notice, &c.)—

S. B. 422. To repeal section one of an act in relation to the prohibition of the sale or giving away vinous or spirituous liquors within two miles of Gaylesville High School, Cherokee county, and other counties therein named, approved December 17, 1873, so far as the same relates to Vernon, Sanford county.

By Mr. Wilson—

H. B. 423. The better to protect the public against the evils of immoral discussions.

By Mr. Wharton—

H. B. 424. To detach the county of Blount from the seventh congressional district and attach it to the sixth.

By Mr. Stribling—

H. B. 425. To make an appropriation out of the State treasury for the purpose of buying a new carpet for the hall of the house of representatives.

By Mr. Baker, (with petition and evidence of publication of notice, &c.)—

H. B. 426. To prohibit the sale or otherwise disposing of vinous or spirituous liquors within four miles of the Methodist church, Suggsville, in Clarke county;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Grant offered the following resolution:

WHEREAS, it is a matter of notoriety that Hugh A. Carson is an escaped felon; and whereas, he now occupies a seat on this floor and legislates for the virtuous people of Alabama: and whereas, there is an inconsistency in the fact that a man may legislate for a great people and be a fugitive from the just wrath of an equally great people. Therefore,

Be it Resolved, That Hugh A. Carson be expelled from this house, unless he satisfy the committee on privileges and elections that he is not one and the same person named in certified copies of indictments now before them.

The resolution was referred to the committee on privileges and elections.

By leave, Mr. Price, from the committee on local legislation, reported favorably to the senate bill—

H. B. 347. To fix and regulate the time of holding the circuit courts of St. Clair and Calhoun counties, at the Spring terms, 1876;

Which bill was read the third time and passed—yeas 68, nays 11.

Those who voted yea are—

Messrs. Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau,

Shepard, Smith of Franklin, Stevens, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega and Woolf—68.

Those who voted nay are—

Messrs. Allen, Bennett, Brantley, Cockrell, Harris of Dallas, Lee, Locke, Mathews, Sims, Witherspoon and Wynne—11.

On motion of Mr. Stribling, the vote by which the bill—

H. B. 176. To provide for the incorporation of fence districts in this State,

Was indefinitely postponed, was reconsidered.

On motion of Mr. Chambers, the further consideration of the bill was postponed until 12, m., to-morrow, and made the special order for that hour, provided the revenue bill is disposed of.

REPORTS FROM STANDING COMMITTEES.

Mr. Clements, from the committee on education, reported favorably to the bill—

H. B. 334. To authorize and require the Secretary of State to deliver to the President of the University of Alabama, certain books therein named ;

Which bill was read the third time and passed—yeas 74, nays 4.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stephens, St. John, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, and Woolf—74.

Those who voted nay are—

Messrs. Bennett, Cockrell, Matthews and Witherspoon—4.

Also, favorably to the bill—

H. B. 382. To establish separate school districts within the several counties of this State.

Which bill was read the third time and passed.

Yeas 75, nays 3.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—75.

Those who voted nay are—

Messrs. Blevins, Cashin, and Fagan—3.

Also, favorably to the bill—

H. B. 387. To authorize and regulate the payment and collection of interest at Montgomery on the bonds of the State belonging to the agricultural and mechanical college;

Which bill was read the third time and passed—yeas 79, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—79.

Also, favorably to the senate bill—

S. B. 79. To regulate the public schools in the county of Mobile;

Which bill was read the third time and passed—yeas 76, nays 2.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bon-

ner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, and Woolf—76.

Those who voted nay are—

Messrs. Reid and Witherspoon—2.

Also, under instructions from the house, reported

H. B. 428. Joint resolution ratifying and confirming the compromise made between the Superintendent of Public Instruction and the Governor, with Luther R. Smith, one of the sureties on the bond of Wm. J. Gilmore,

Which was read and adopted.

Also, from same committee, reported adversely to the bill—

H. B. 324. To require certain qualifications of persons who apply for license to teach in the free public schools in this State.

The report was concurred in.

Mr. Price, from the committee on local legislation, reported favorably to the senate bill—

S. B. 182. To empower the courts of county commissioners to levy a special tax for the purpose of building court-houses and jails, or for the improvement of the same;

Which bill was read the third time and passed—yeas 76, nays 2.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, and Woolf—76.

Those who voted nay are—

Messrs. Witherspoon, and Wood of Talladega—2.

Also, favorably to the senate bill—

s. B. 20. To amend section 2481 of the Revised Code;

Which bill was read the third time and passed—yeas 74, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Forsyth, Franklin, Gibson, Grant, Hamilton, Harris, of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—74.

Also, favorably to the senate bill—

s. B. 88. To repeal an act approved March 27, 1873, in relation to the fine and forfeiture fund of Tuscaloosa county, and other counties therein named, so far as it relates to Lowndes county;

Which bill was read the third time and passed—yeas 66, nays 6.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Billups, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Forsyth, Franklin, Gibson, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—66.

Those who voted nay are—

Messrs. Blevins, Brantley, Cashin, Harris of Dallas, Mathews and McDuffie—6.

Mr. Grant, from the committee on public printing, reported favorably to the senate bill—

s. B. 185. Joint resolution requiring the State printer to publish copy of new constitution of this State with the acts of the present session of the general assembly;

Yeas 80, nays 1.

Those who voted yea are—

Mess. Speaker, Allen, Aldridge, Andrews, Barnett, Barron, Beine, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Grant, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Mathews, McDuffie, Mitcheli, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—80.

Mr. Brantley voted nay.

By leave, Mr. Anderson (Mr. Clements in the chair) introduced a bill—

H. B. 427. To provide for the salaries of judges appointed or elected to fill vacancies occurring before the next general election for such officers;

Which bill was read once, and ordered to a second reading on to-morrow.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 11, 1876.

Mr. Speaker :

The senate has originated and passed the following bill :

S. B. 163. To authorize and require courts of county commissioners to correct errors made by tax collectors in the sale of lands for taxes since the first day of January, in the year 1868.

And has amended, as therein shown, and passed the following house bills :

H. B. 211. To establish and regulate an additional term of the chancery court for the third district (composed of Marengo county) of the western chancery division of Alabama.

H. B. 261. To repeal an act in relation to the trial of misdemeanors in Tuscaloosa and other counties therein named, so far as the same relates to Washington county.

Respectfully,

S. B. BREWER,
Secretary.

SPECIAL ORDER.

The hour of twelve o'clock having arrived, the house proceeded to the consideration of the bill—

H. B. 341. To establish a revenue code for the State of Alabama ;

The question pending being the consideration of section eight of chapter eight.

Mr Chambers moved to amend by adding at the end of the section the following :

“ Provided, That when the notice required by section two of this chapter has been given, by posting, it shall be the duty of the collector to file a copy of said notice in the office of the probate judge, accompanied by the affidavit of such collector, that the same was posted in accordance with law, which file shall be preserved in the office of the judge of probate ; and the affidavit of the publisher, and collector, herein provided for, shall, without further proof, be received as *prima facie* evidence, in the trial of any cause in which the fact of such notice is in issue.”

The amendment was adopted.

Section eight, as amended, was then adopted.

On motion of Mr. Woolf, the vote by which the house refused to strike out subdivision seven of section seven, was reconsidered.

Mr. Harris of Perry moved to amend the amendment by striking out all after the word “county,” in line forty-one ;

Which, on motion of Mr. Prowell, was laid on the table.

The question recurring on the motion to strike out subdivision seven, it was put and carried.

Mr. Betts moved to amend subdivision nine, by striking out all from the word “provided,” in line forty-six, down to and including the word “provided,” where it first occurs in line forty-seven.

Mr. Harris offered the following as a substitute for the amendment: After the word “manufactured,” in line forty-seven, insert the words “by him.”

On motion of Mr. Higgins, the substitute was laid on the table ;

And the amendment was lost.

Mr. Betts moved to amend subdivision nine, by striking out the words “the county court,” in line fifty-two, and insert in lieu thereof the words “any court in said county having criminal jurisdiction.” Adopted.

Mr. Brown moved to amend subdivision eleven by striking

out the words "whose use," in line fifty-nine, and inserting in lieu thereof the words "for the use of which." Adopted.

Mr. Harris of Perry moved to amend subdivision sixteen, line seventy, by striking out the words "twenty-five" and inserting in lieu thereof the word "fifty."

Mr. Wilson offered the following as a substitute for the amendment: Strike out the words "twenty-five," in line seventy, and insert in lieu thereof the words "five hundred." Lost.

And the amendment of Mr. Harris of Perry was adopted—yeas 50, nays 31.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brantley, Cashin, Chambers, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Fagan, Franklin, Gibson, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Huey, Kirkland, Lee, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Nelson, Reese, Reid, Sims, Smith of Franklin, Stevens, Troup, Wilson, Witherspoon, Wood of Marengo and Woolf—50.

Those who voted nay are—

Messrs. Speaker, Andrews, Barnett, Barron, Betts, Brewer, Baker, Brown, Clements, Dickson, Espy, Farriss, Fielder, Gullledge, Hamilton, Holloway, Jenkins, Jones of Russell, Leslie, Price, Purcell, Rice, Ross, Shepard, Straughn, Stribling, Tate, Wharton, Wood of Talladega and Woolf—31.

Mr. Aldridge moved to amend subdivision sixteen (15), line sixty-nine, by inserting the words "or knives of like kind," after the word "knives," where it last occurs in said line. Lost.

Mr. Barron moved to amend subdivision sixteen, lines sixty-nine and seventy, by striking out the words "whether the principal stock in trade or not."

On motion of Mr. Higgins, the amendment was laid on the table.

Mr. Rice moved to amend subdivision seventeen (16), line seventy-one, by striking out the word "patent." Adopted.

Mr. Stribling moved to amend by striking out the whole of subdivision seventeen;

Which, on motion of Mr. Harris of Perry, was laid on the table.

Mr. Stribling moved to amend subdivision seventeen, lines seventy-one and seventy-two, by striking out the words "twenty-five," and insert in lieu thereof the word "fifteen."

Mr. Betts moved to amend subdivision eighteen by striking out lines seventy-four and seventy-five, and insert in lieu thereof the following: "Twenty-five dollars in each county in which they engage in selling."

Pending the consideration of which,

On motion of Mr. Stribling, the house took a recess until 4 o'clock this afternoon.

AFTERNOON SESSION.

The house met at 4 o'clock, p. m.,

And proceeded to the consideration of the revenue bill—

The question pending being the amendment of Mr. Betts.

Mr. Barnett offered the following as a substitute for the amendment: "For each sewing machine company selling sewing machines, by themselves or their agents, the sum of one hundred dollars as a State tax. The payment of this tax to the State, evidenced by the receipt of any probate judge, shall exempt the company from the payment of this State tax in any other county; Provided, however, That in each county in which the company may have an agent, a license of twenty dollars shall be paid for county purposes."

The substitute was adopted.

Mr. Mitchell moved to amend the amendment by striking out the word "twenty," and insert in lieu thereof the word "ten." Lost.

Mr. Mitchell moved to amend the amendment by adding thereto the following: "Sewing machines shall not be included as goods, wares and merchandise, in section four, chapter three of this act."

Which, on motion of Mr. Prowell, was laid on the table.

The amendment, as amended, was then adopted.

Mr. Wilson moved to amend subdivision nineteen, by striking out the word "fifty," and insert in lieu thereof the words "five hundred."

Mr. Cockrell moved to amend the amendment by striking out the words "five hundred," and inserting "two hundred." Lost.

Mr. Blevins moved to lay the amendment on the table. Carried.

Mr. Mitchell moved to amend subdivision nineteen, by adding thereto the following: "The payment of this tax shall entitle said circus to show twice on same day."

Which, on motion of Mr. Woolf, was laid on the table.
Mr. Wilson moved to amend subdivision twenty-one, by striking out the word "ten" and inserting the words "twenty-five."

Which, on motion of Mr. Blevins, was laid on the table.

Mr. Wilson moved to amend subdivision 22 by striking out the word "ten," and inserting, "fifty," which, on motion of Mr. Blevins, was laid on the table.

Mr. Huey moved to amend subdivision 23, by adding thereto the following: "On all persons, who teach dancing school, and receive pay for the same, twenty-five dollars;"

Which, on motion of Mr. Blevins, was laid on the table.

Mr. Mitchell moved to amend subdivision 24, by adding: "The payment of the tax to the State, evidenced by the receipt of any judge of probate, shall exempt from payment of this license in any other county;"

Which, on motion of Mr. Billups, was laid on the table.

Mr. Fielder moved to amend subdivision 24, by way of substitute as follows: "For itinerant photographers ten dollars, the payment of this sum, evidenced by the receipt of any probate judge, shall exempt from payment of this license in any other county." Lost.

On motion of Mr. Price, subdivision was stricken out.

Mr. Aldridge moved to amend subdivision 26, by striking out "one hundred," and inserting "twenty-five." Adopted.

Mr. Harris of Perry moved to amend by additional subdivision as follows: "For business of standing stallions fifteen dollars;"

Which, on motion of Mr. Prowell, was laid on the table.

Mr. Wilson moved to amend, by additional subdivision, as follows:

For dentists, physicians and lawyers, ten dollars; Provided, that the above shall not apply to any one, who has not been licensed three years, and physicians, surgeons, dentists, and lawyers, having taken out a license in one county, may practice in any county in the State;"

On motion of Mr. Maples, the amendment was laid on the table—yeas 53, nays 24.

Those who voted yea are—

Messrs. Speaker, Allen, Barnett, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brown, Carson, Chambers, Clements, Cook, Cockrell, Crews, Dillon, Farriss, Fielder, Gibson, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Locke, Maples,

Martin, Mitchell, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Shepard, Sims, Stallworth, Straughn, Tate, Troup, Wood of Talladega, and Woolf—53.

Those who voted nay are—

Messrs. Aldridge, Andrews, Baldwin, Dickson, Espy, Fagan, Franklin, Heaton, Kimmey, Lee, Leslie, Lewis, Mathews, Nelson, Reese, Smith of Franklin, Stevens, St. John, Townsend, Wharton, Wilson, Witherspoon, Wood of Marengo, and Wynne—24.

Mr. Wood of Talladega moved to reconsider the vote laying the amendment of Mr. Wilson on the table, and to lay that motion on the table. Carried.

Mr. Jones of Russell moved to amend by additional subdivision as follows :

“For emigrant agents one hundred dollars; Provided, that the payment of this sum to any probate judge, as evidenced by his receipt, shall entitle the party to carry on said business in any county in this State.”

On motion of Mr. Woolf, the consideration of the amendment was postponed until to-morrow.

Section 7, as amended, was then adopted, with the exception of the pending amendment.

Mr. Woolf moved to amend section 8, by adding after the word “licensed,” in the third line, “except as herein otherwise provided.” Adopted.

Section 8, as amended, was adopted.

Mr. Betts moved to amend section 9 by striking out all after the word “run,” in 2d line, down to the word “which,” in 3d line. Adopted.

Section 9, as amended, was adopted.

Mr. Barnett moved to amend section 10 by inserting the word “quarterly,” in lieu of the word “monthly,” and the word “quarter,” in lieu of “month,” where they occur in the section. Adopted.

Mr. Chambers moved to amend by adding at the end of the section “such payment to be made in the same kind of funds as were collected from this source. Adopted.

Section 10, as amended, was adopted.

Mr. Barnett moved to amend section 11 by adding after the word “forms,” in 2d line, “and give instructions,” also, strike out the words “it shall be the duty of,” in lines 2 and 3, and insert “he shall apply to.” Adopted.

Section 11, as amended, was adopted.

Chapter ninth, with the exception of the amendment pending to section 7, was adopted.

Pending the consideration of the revenue bill, on motion of Mr. Mitchell, the house adjourned until to-morrow morning, 10 o'clock.

FORTIETH DAY.

SATURDAY, February 12, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Gwin.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gullett, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—82.

The journal of yesterday was read.

On motion of Mr. Wood of Talladega, the journal of yesterday, on page 450, where it reads, "Mr. Wood of Talladega moved to reconsider the vote laying the amendment of Mr. Wilson on the table, and to lay that motion on the table," was corrected to read as follows:

"Mr. Wood of Talladega moved to reconsider the vote by which the house refused, in effect, to adopt the amendment of Mr. Wilson, and to lay that motion on the table."

The journal as corrected was approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Gilmer of Lawrence, and Jones of Russell, for five days.

The speaker, in the presence of the house, and immediately after the title had been publicly read, signed the senate bills—

S. B. 89. To prevent white and colored prisoners from being imprisoned together in the same apartments, before conviction.

S. B. 25. In relation to the custody and expenditure of funds belonging to minors in certain cases.

By leave, Mr. Barnett, from the committee on ways and means, reported favorably to the senate bill—

S. B. 297. To remit the penalties imposed under section 15 of an act to establish revenue laws for the State of Alabama, approved March 19, 1875 ;

Which bill was read the third time and passed—yeas 52, nays 27.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barnett, Beirne, Betts, Billups, Bonner, Boyd, Brewer, Brantley, Chambers, Crews, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Grant, Hamilton, Harris of Chambers, Harris of Dallas, Herman, Higgins, Holloway, Huey, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, McDuffie, Nelson, Price, Prowell, Reid, Rice, Ross, Rousseau, Shepard, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Witherspoon, Wood of Marengo, and Wood of Talladega—52.

Those who voted nay are—

Messrs. Allen, Barron, Bell, Bennett, Blevins, Baker, Brown, Cashin, Clements, Cook, Cockrell, Davis, Espy, Fagan, Harris of Perry, Heaton, Jenkins, Leslie, Matthews, Purcell, Reese, Sims, Smith of Franklin, Straughn, Wilson, Woolf and Wynne—27.

The speaker announced as the committee on the bill—

H. B. 415. To authorize the incorporation of railroad companies in this State ;

Messrs. Tate, Woolf, Brewer, Beirne, Wood of Talladega, Chambers and Rice.

BILLS ON SECOND READING.

The bills—

H. B. 417. To abolish the office of tax collector and assessor, in Calhoun county.

H. B. 420. To regulate the assessment, collection and disposition of the poll tax in this State.

H. B. 421. To establish and allow bills of exceptions, in certain cases.

H. B. 427. To provide for the salaries of judges appointed or elected to fill vacancies occurring before the next general election for such officers ;

Were severally read the second time, and referred to the committee on the judiciary.

The bills—

H. B. 416. To repeal an act to prohibit the sale of liquors within three miles of Richland Baptist Church, in Pike county, so far as it relates to Barbour county.

H. B. 422. To repeal section one of an act in relation to the prohibition of the sale or giving away of vinous or spirituous liquors within two miles of Gayesville High School, Cherokee county, and other counties therein named, approved December 17, 1873, so far as the same applies to Vernon, Sanford county.

H. B. 426. To prohibit the sale or otherwise disposing of vinous or spirituous liquors within four miles of the Methodist Church, at Suggsville, in Clark county ;

Were severally read the second time, and referred to the committee on temperance.

The bill—

H. B. 419. To amend sections 2 and 20 of an act to incorporate the town of Guntersville, in the county of Marshall, approved December 12, 1871 ;

Was read the second time and referred to the committee on corporations.

The bill—

H. B. 425. To make an appropriation out of the State treasury for the purpose of buying a new carpet for the hall of the house of representatives ;

Was read the second time.

Mr. Grant moved to lay on the table. Lost.

And the bill was referred to the committee on the State capitol.

The bills—

H. B. 418. To punish the offense of petit larceny ;

Was read the second time, and on motion of Mr. Reid, laid on the table.

The bill—

H. B. 423. The better to protect the public against the evils of immoral discussions ;

Was read the second time, and on motion of Mr. Ried, laid on the table.

The bill—

H. B. 424. To detach the county of Blount from the seventh congressional district, and attach it to the sixth ;

Was read the second time and referred to a special committee, consisting of the members from the sixth congressional district.

Mr. Betts moved to reconsider the vote referring the bill to a special committee of members from the sixth district.

Mr. Cockrell moved to lay the motion to reconsider on the table. Lost ; and the motion prevailed.

The bill was referred to a special committee of one from each congressional district.

Committee—Messrs. Wharton, Aldridge, Barnett, Barron, Jenkins, Smith of Franklin, Huey and Chambers.

On motion of Mr. Barron, the bill—

H. B. 412. To amend so much of an act to divide the State into eight congressional districts, approved February 13, 1875, as relates to the fifth and seventh districts ;

Which was referred to the committee on local legislation, was referred to the special committee above recited.

The senate bill—

S. B. 163. To authorize and require courts of county commissioners to correct errors made by tax collectors in the sale of lands for taxes since the first day of January, in the year 1868 ;

Was read once and ordered to a second reading on to-morrow.

The house concurred in the senate amendment to the bill—

H. B. 261. To repeal an act in relation to the trials of misdemeanors in Tuscaloosa and other counties therein named, so far as the same relates to Washington county—yeas 62, nays 8.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Billups, Bonner, Brewer, Baker, Brantley, Chambers, Clements, Cook, Davis, Dillon, Edwards, Espy, Farriss, Forsyth, Franklin, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Leslie, Locke, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—62.

Those who voted nay are—

Messrs. Cockrell, Harris of Dallas, Martin, Reese, Reid, Witherspoon, Wood of Marengo, and Wynne—8.

Also, concurred in the senate amendment to the bill—

H. B. 211. To establish and regulate an additional term of the chancery court for the third district (composed of Marengo county) of the western chancery division of Alabama.

Yeas 66, nays 6.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Blevins, Bonner, Boyd, Brewer, Brown, Carson, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Forsyth, Franklin, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Locke, Maples, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—66.

Those who voted nay are—

Messrs. Bennett, Brantley, Cockrell, Reese, Witherspoon and Wynne—6.

By leave, the following bills were introduced :

By Mr. Price—

H. B. 427. To create a lien on ships, steamboats and other water crafts, in certain cases.

By Mr. Woolf—

H. B. 428. For the relief of clerks of the city and other criminal courts of this State.

By Mr. Purcell—

H. B. 429. To repeal an act to annex fractional township 7, range 12, according to the Florida survey, to township 1, range 26, according to the Alabama survey.

By Mr. Anderson, (Mr. Smith of Franklin in the chair)—

H. B. 430. In relation to the swamp and overflowed lands that have heretofore been sold ;

Which bills were severally read once and ordered to a second reading on to-morrow.

By leave, Mr. Price, from the committee on local legislation, reported adversely to the senate bill—

S. B. 80. To close the accounts and settle the contracts made by the board for the improvement of the river, harbor and bay of Mobile.

On motion of Mr. Billups, the further consideration of the report was postponed until Monday next, 12, m., and made the special order for that hour.

By leave, Mr. Herman, from the committee on appropriations, reported favorably to the senate bill—

S. B. 228. To provide for the payment of the expenses of the joint committee of the two houses appointed to investigate the facts relating to the alleged election of George E. Spencer, United States senator.

On motion of Mr. Wood, of Talladega, the further consideration of the bill was postponed until Tuesday next, 12, m., and made the special order for that hour.

By leave, Mr. Price, from the committee on local legislation, reported favorably to the bill—

H. B. 355. To ratify and confirm the issue of certain bonds by the county of Mobile;

Which bill was read the third time and passed—yeas 69, nays 3.

Those who voted yea are—

Messrs. Speaker, Allen, Andrews, Baldwin, Barnett, Barron, Bell, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Locke, Maples, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wood of Marengo, Wood of Talladega, Woolf and Wynne—69.

Those who voted nay are—

Messrs. Brantley, Lewis and Witherspoon—3.

Mr. Mitchell asked and obtained leave to withdraw from the committee on finance the bill—

H. B. 315. To restrain counties from issuing bonds to pay back indebtedness.

On motion of Mr. Woolf, the bill—

H. B. 176. To provide for the incorporation of fence districts in this State;

Was made the special order for Monday next, immediately after the reading of the journal.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 12, 1876.

Mr. Speaker :

The senate has originated and passed the following bill—

s. B. 272. To ratify the agreement made by John M. McKleroy, superintendent of public instruction, to compromise the liability of the sureties on the official bond of William J. Gilmore, late superintendent of education of Choctaw county.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

SPECIAL ORDER.

The hour of 12 o'clock having arrived, the house proceeded to the consideration of the special order for this hour, viz., the bill—

H. B. 341. To establish a revenue code for the State of Alabama.

The question pending being the amendment of Mr. Jones, of Russell, to section 7, chapter ix.

Mr. Chambers moved to amend the amendment by inserting after the word "agents," "or persons engaged in soliciting laborers to leave the State."

Adopted.

Mr. Lewis moved to amend the amendment by adding the following:

"Provided, That a merely coming from one county to another for the purpose of removing persons, at their option or solicitations, shall not be considered emigration agents, within the meaning of this act."

Which, on motion of Mr. Chambers, was laid on the table.

On motion of Mr. Harris of Dallas, the amendment was laid on the table.

Mr. Harris, of Perry, moved to reconsider the vote just taken and to lay that motion on the table.

Carried.

On motion of Mr. Stallworth, the vote adopting chapter ix, was reconsidered.

Mr. Stallworth moved to amend section 7, chapter ix, by additional subdivision as follows:

"That, hereafter, the keeping of dogs shall be a *privilege*—which shall be licensed as follows: Every owner or harbinger of a dog or dogs, shall pay fifty cents on each dog. For the privilege of keeping a bitch, the owner or harbinger of the same shall pay a license tax of five dollars for each bitch so kept, except spayed bitches, which shall be licensed as other dogs. Provided, That in the payment of the dog license tax

wolf scalps be received at two dollars, and each bear, wild cat, red fox and gray fox scalp, at fifty cents; Provided, That each animal shall be captured and killed in this State."

On motion of Mr. Stribling the amendment was laid on the table—yeas 57, nays 23.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Barnett, Beirne, Bell, Bennett, Betts, Blevins, Bonner, Boyd, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Fagan, Farriss, Franklin, Gullett, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Rice, Ross, Rousseau, Shepard, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo and Woolf—57.

Those who voted nay are—

Messrs. Speaker, Andrews, Barron, Billups, Bliss, Dickson, Edwards, Espy, Grant, Harris of Dallas, Herman, Kimmey, Leslie, Mathews, Nelson, Prowell, Purcell, Reese, Reid, Sims, Smith of Franklin, Stallworth and Tate—23.

The subdivisions of section 7 were renumbered to correspond (subdivision 7 and 24 having been stricken out.)

Mr. Betts moved to amend by additional section, as follows:

Section 12. Be it further enacted, That no municipal corporation shall impose any license tax on any business or vocation which is not so taxed under this act, nor any higher rate upon such as are so taxed, than is herein imposed; Provided, this shall not apply to licenses to retail spirituous liquors."

On motion of Mr. Price, the amendment was laid on the table.

Chapter nine was then adopted.

CHAPTER TEN.

Mr. Barnett moved to amend section 1, subdivision 6, line 16, by striking out all after the word "dealers," and inserting "contrary to the provisions of this act." Adopted.

Also, to amend same section, subdivision 7, line 18, by inserting after the word "with," the following: "Section 2, chapter 6, and." Adopted.

Mr. Chambers moved to amend by adding additional subdivision as follows:

12. "Against any tax collector or probate judge for paying

into the treasury of the State, or county, funds of less value than those collected, not less than five hundred dollars." Adopted.

Section 1, as amended, was adopted.

Sections 2 and 3 were adopted.

Mr. Woolf moved to amend by striking out the word "county," where it occurs in line 5.

Section 4 was adopted.

Section 4, as amended, was adopted.

Chapter 10 was adopted.

Mr. Lewis moved to adjourn until Monday morning, 10 o'clock. Lost.

Mr. Wilson moved to take a recess until 4 p. m. Lost.

CHAPTER ELEVEN.

Sections 1 and 2 were adopted.

Mr. Price moved to amend by additional section, and to be numbered 3.

The amendment was adopted.

Section Four.

Mr. Wilson moved to amend by striking out the following words in lines 3 and 4: "Nor shall this act repeal the act entitled an act to fix the rate of taxation upon shares of national banking associations and savings banks, approved February 27, 1875."

Mr. Brewer moved to lay the amendment on the table. Lost—yeas 39, nays 39.

Those who voted yea are—

Messrs. Speaker, Andrews, Barnett, Barron, Beirne, Bell, Bennett, Betts, Bonner, Brewer, Baker, Brown, Crews, Dickson, Dillon, Hamilton, Harris of Chambers, Harris of Dallas, Holloway, Huey, Jenkins, Kimmey, Leslie, Locke, McDuffie, Nelson, Price, Prowell, Rice, Ross, Rousseau, Sims, Stallworth, Stevens, Straughn, Stribling, Tate, Witherspoon and Woolf—39.

Those who voted nay are—

Messrs. Allen, Aldridge, Baldwin, Billups, Blevins, Bliss, Boyd, Cashin, Chambers, Cockrell, Davis, Edwards, Espy, Fagan, Farriss, Franklin, Gulledege, Harris of Perry, Higgins, Kirkland, Lewis, Maples, Martin, Matthews, Mitchell, Purcell, Reese, Reid, Shepard, Smith of Franklin, St. John, Townsend,

Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Wynne—39.

SIGNING BILLS.

And the speaker, in the presence of the house and immediately after the title had been publicly read, signed the senate bill—

S. B. 397. To remit the penalties imposed under section 15 of an act to establish revenue laws for the State of Alabama, approved March 16, 1875.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Coon, and Smith of Bullock, for five days.

On motion of Mr. Clements, the clerk was instructed not to certify to the senate the joint resolution ratifying the compromise made with the bondsmen of the late W. J. Gilmore, as the senate has passed a bill on that subject.

Pending the amendment of Mr. Wilson—

On motion of Mr. Prowell, the house adjourned until Monday morning, 10 o'clock.

FORTY-FIRST DAY.

MONDAY, February 14, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll, the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Baker, Brantley, Brown, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kirkland, Leslie, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St.

John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—71.

The journal of yesterday was read and approved.

SPECIAL ORDER.

The house proceeded to the consideration of the bill—

H. B. 176. To provide for the incorporation of fence districts in this State.

The question pending being the amendment offered by Mr. Reid to the amendment of Mr. Woolf.

On motion of Mr. Chambers, the amendment was laid on the table.

By leave, Mr. Woolf withdrew his amendment and moved to amend as follows:

"Add to the end of section 5, "Provided, that in case of females interested and desiring to vote on the question, they shall have the right to do so by proxy appointed in writing." Adopted.

Mr. Baldwin moved to amend section 5, line 4, by striking out "three," and insert "one." Lost.

Mr. Wood of Talladega moved to amend by adding the following: "Provided, that the provisions of this act shall not apply to Talladega." Adopted.

Mr. Bonner moved to amend as follows: "Provided, that the provisions of this act shall not apply to Choctaw county." Adopted.

Mr. Blevins moved to lay the bill on the table. Lost.

Amendments were severally offered as follows:

By Mr. Davis, to exempt the counties of Bibb and Chilton.

Nelson, to exempt the county of Baldwin.

Aldridge, to exempt the county of Blount.

Stevens, to exempt the county of Chambers.

Baker, to exempt the county of Clarke.

Shepard, to exempt the county of Cleburne.

Kimmey, to exempt the county of Coffee.

Straughn, to exempt the county of Covington.

Stallworth, to exempt the counties of Conecuh and Escambia.

By Mr. Franklin, to exempt the county of DeKalb.

Kirkland, to exempt the counties of Fayette and Sanford.

By Mr. Rousseau, to exempt the county of Crenshaw.

Smith of Franklin, to exempt the county of Franklin.

By Mr. Witherspoon, to exempt the county of Greene.

Reese, to exempt the county of Hale.

Higgins, to exempt the county of Jackson.

Greene of Jefferson, to exempt the county of Jefferson.

By Mr. Townsend, to exempt the county of Limestone.

Gibson, to exempt the county of Lawrence.

McDuffie, to exempt the county of Lowndes.

Rice, to exempt the county of Madison.

Wood of Marengo, to exempt the county of Marengo.

By Mr. Hamilton, to exempt the county of Marion.

St. John, to exempt the county of Marshall.

Price, to exempt the county of Mobile.

Mitchell, to exempt the county of Montgomery.

Troup, to exempt the county of Morgan.

Harris of Perry, to exempt the county of Perry.

Billups, to exempt the county of Pickens.

Heaton, to exempt the county of Randolph.

Wilson, to exempt the county of Shelby.

Reid, to exempt the county of Sumter.

Holloway, to exempt the county of Tallapoosa.

Brown, to exempt the county of Tuscaloosa.

Wharton, to exempt the county of Walker.

Baker, to exempt the county of Washington.

Locke, to exempt the county of Wilcox.

Farriss, to exempt the county of Winston.

Allen, to exempt the county of Bullock.

Martin, to exempt the county of Dallas.

Mr. Chambers moved to lay on the table the amendments proposing to exempt the following counties: Bullock, Dallas, Perry, Greene, Sumter, Wilcox and Marengo. Carried—yeas 44, nays 27.

Those who voted yea are—

Messrs. Andrews, Beirne, Bell, Billups, Bonner, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Franklin, Gulledge, Hamilton, Harris of Chambers, Herman, Higgins, Huey, Kirkland, Leslie, Maples, McDuffie, Nelson, Price, Prowell, Purcell, Rice, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Wilson, Witherspoon and Woolf—44.

Those who voted nay are—

Messrs. Aldridge, Baldwin, Bennett, Blevins, Bliss, Boyd, Brantley, Cashin, Cook, Cockrell, Fagan, Gilmer of Mont-

gomery, Harris of Dallas, Harris of Perry, Holloway, Lewis, Locke, Martin, Mathews, Mitchell, Reese, Reid, Ross, Sims, Troup, Wharton and Wood of Marengo—27.

The question recurring upon the amendments to exempt the counties above named, it was put and carried.

Pending the consideration of the bill, the hour (viz: 12 m.) for the consideration of the report of the committee on the senate bill—

S. B. 80. To close the accounts and settle the contracts made by the board for the improvement of the river, harbor and bay of Mobile;

Arrived, whereupon on motion of Mr. Billups, it was postponed and made the special order for to-morrow, 11 a. m.

On motion of Mr. Anderson, (Mr. Clements in the chair) the consideration of the revenue bill was postponed until the call of the counties was finished.

CALL OF THE COUNTIES.

On the call of the counties bills were introduced :

By Mr. Purcell—

H. B. 431. To repeal the act to increase and regulate the pay of jurors and witnesses in the county of Henry, approved February 17, 1871.

Also—

H. B. 432. To repeal an act to increase the per diem of the county commissioners of the counties of Henry, Barbour, Wilcox and Washington, approved March 14, 1873, as far as the same relates to the county of Henry.

By Mr. Davis, (with evidence of publication of notice, &c.)—

H. B. 433. To repeal an act to incorporate the town of Centerville, in the county of Bibb, approved 21st January, 1832.

By Mr. Greene of Jefferson—

H. B. 434. To ratify certain proceedings therein named.

By Mr. Harris of Perry—

H. B. 435. To require the State to refund the money collected from persons, under section 112, subdivision 9, of the act to establish revenue laws for the State of Alabama, approved December 31st, 1868.

By Mr. Greene of Jefferson—

H. B. 436. To require the court of county commissioners and the treasurer of Jefferson county, to publish semi-annual exhibits of the receipts and expenditures of money for and on account of said county.

By Mr. Chambers—

H. B. 437. To prevent destruction of property by dogs.

By Mr. Clements—

H. B. 438. To repeal section 1047 of the Revised Code.

Also—

H. B. 439. To amend section 1050 of the Revised Code.

Also—

H. B. 440. To amend section 1053 of the Revised Code.

Also—

H. B. 441. To amend section 1054 of the Revised Code.

Also—

H. B. 442. To amend section 1066 of the Revised Code.

Also—

H. B. 443. To amend section one of an act for the support of the Alabama Insane Hospital, approved 16th February, 1871 ;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Wilson offered the following joint resolution :

Resolved by the house of representatives (the senate concurring), That this general assembly adjourn *sine die* at twelve o'clock, m., on Friday, the 25th inst. ;

Which, on motion of Mr. Prowell, was laid on the table—yeas 43, nays 29.

Those who voted yea are—

Messrs. Speaker, Allen, Andrews, Baldwin, Barron, Billups, Bliss, Bonner, Brewer, Baker, Brantley, Chambers, Crews, Davis, Dickson, Dillon, Edwards, Fagan, Greene of Lee, Gulledge, Harris of Perry, Higgins, Holloway, Huey, Jenkins, Leslie, Lewis, Matthews, McDuffie, Mitchell, Nelson, Price, Prowell, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Straughn, Tate, Witherspoon, Wood of Talladega and Woolf—43.

Those who voted nay are—

Messrs. Andrews, Beirne, Bell, Bennett, Blevins, Brown, Cashin, Espy, Farriss, Franklin, Gilmer of Montgomery, Greene of Jefferson, Hamilton, Harris of Chambers, Heaton, Kirkland, Locke, Maples, Martin, Purcell, Reese, Rice, Stevens, Townsend, Troup, Wharton, Wilson, Wood of Marengo and Wynne—29.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported correctly enrolled the following bills—

H. B. 261. To repeal an act in relation to the trials of misdemeanors in Tuscaloosa, and other counties therein named, so far as same relates to Washington and other counties therein named.

H. B. 211. To establish and regulate an additional term of the chancery court for the third district (composed of Marengo county) of the western chancery division of Alabama.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills.

REVENUE BILL.

The house then proceeded to the consideration of the bill—
H. B. 341. To establish a revenue code for the State of Alabama;

The question pending being the amendment of Mr. Wilson to section four, chapter eleven.

The amendment was lost—yeas 21, nays 58.

Those who voted yea are—

Messrs. Allen, Aldridge, Billups, Boyd, Brantley, Cashin, Fagan, Franklin, Gilmer of Montgomery, Gulledge, Harris of Perry, Lewis, Martin, Matthews, Shepard, Smith of Franklin, St. John, Wharton, Wilson, Wood of Marengo and Wynne—21.

Those who voted nay are—

Messrs. Speaker, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Blevins, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cook, Cockrell, Crews, Dickson, Dillon, Edwards, Espy, Farriss, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Holloway, Huey, Jenkins, Kirkland, Lee, Leslie, Locke, Maples, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Stallworth, Stevens, Straughn, Tate, Townsend, Troup, Witherspoon, Wood of Talladega and Woolf—58.

Mr. Woolf moved to amend section four, chapter eleven, by adding after "1875," in line four, "nor the act to establish revenue laws for the State of Alabama, approved December 31, 1868, requiring the officers therein named to fix stamps (furnished by the Auditor to the Treasurer) on each impression of their official seals."

Also, amend said section by adding at the close of it, "Pro-

vided, That this section shall not be so construed as to affect, in any way, sales of lands for non-payment of taxes under existing revenue laws of this State."

The amendments were severally adopted.

Section four, as amended, was adopted.

Mr. Woolf moved to amend by additional section, to be numbered five.

The amendment was adopted.

Section six was adopted.

Chapter eleven was adopted.

Pending the consideration of the revenue bill,

On motion of Mr. Wilson, the house took a recess until 4 o'clock, p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Kimmey, for to-day, on account of sickness; Mr. Barnett, indefinitely, on account of sickness in his family; and to Mr. Forsyth, for five days, on account of sickness.

REVENUE BILL.

The bill—

H. B. 341. To establish a revenue code for the State of Alabama;

Was read the third time and passed—yeas 53, nays 27.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Billups, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Greene of Lee, Gulledege, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Higgins, Holloway, Huey, Jenkins, Kirkland, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Shepard, Stallworth, Stevens, Straughn, Tate, Townsend, Troup, Wharton, Wood of Talladega and Woolf—53.

Those who voted nay are—

Messrs. Allen, Bennett, Blevins, Boyd, Brantley, Cashin,

Cook, Cockrell, Fagan, Franklin, Gilmer of Montgomery, Greene of Jefferson, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, McDuffie, Reese, Sims, Smith of Franklin, St. John, Wilson, Witherspoon, Wood of Marengo and Wynne—27.

By leave, Mr. Brewer introduced a bill—

H. B. 444. To make appropriations for the fiscal year ending September 30, 1876;

Which was read once, and ordered to a second reading on to-morrow.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the following senate bills:

s. B. 20. To amend section 2481 of the Revised Code.

s. B. 182. To empower the court of county commissioners to levy a special tax for the purpose of building court houses, or jails, or for the improvement of the same.

s. B. 79. To regulate the public schools in the county of Mobile.

s. B. 88. To repeal an act approved March 27, 1873, in relation to the fine and forfeiture fund of Tuscaloosa county, and other counties therein named, so far as it relates to Lowndes county.

s. B. 185. Joint resolution requiring the State printer to publish copy of new constitution of this State with the acts of the present session of the general assembly.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Betts for two days.

On motion of Mr. Allen, the house adjourned until to-morrow morning, 10 o'clock.

FORTY-SECOND DAY.

TUESDAY, February 15, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Gilmer of Montgomery, Greene of Jefferson, Gulledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—80.

The journal of yesterday was corrected and approved.

By leave, Mr. Clements, from the committee on education, reported favorably, with an amendment, to the senate bill—s. B. 106. To make appropriations for the support of the public schools of this State.

Amend by adding to section one the following:

"8th. The sum of two thousand dollars, being a tax upon the Mutual Aid Association, for the benefit of the school fund, under an act of the general assembly of Alabama, approved October 10, 1868."

The amendment was adopted, and the bill ordered to a third reading forthwith.

On motion of Mr. Woolf, the vote ordering the bill to a third reading forthwith was reconsidered—yeas 53, nays 24.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barron, Beirne, Bell, Billups, Bonner, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Franklin, Greene of Jefferson, Greene of Lee, Gulledge,

Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Kirkland, Leslie, Maples, Nelson, Price, Prowell, Purcell, Reid, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Troup, Wharton, Wilson, Wood of Marengo, and Woolf—53.

Those who voted nay are—

Messrs. Andrews, Baldwin, Bennett, Blevins, Bliss, Boyd, Brantley, Cashin, Cook, Cockrell, Fagan, Gilmer of Montgomery, Hamilton, Harris of Dallas, Lee, Lewis, Locke, Martin, Mathews, McDuffie, Reese, Townsend, Witherspoon and Wynne—24.

Mr. Wilson moved to amend by striking out "\$150,000" and inserting, in lieu therefor, "\$100,000."

Mr. Harris of Perry moved to amend the amendment by striking out "\$100,000" and inserting, in lieu therefor, "\$200,000."

Pending the consideration of which the hour of 11 o'clock arrived, when the house proceeded to the consideration of the special order for that hour, viz., the senate bill—

S. B. 80. To close the accounts and settle the contract made by the board for the improvement of the river, harbor and bay of Mobile.

Mr. Billups submitted the following

MINORITY REPORT :

The undersigned members of the committee on local legislation, to which was reported the bill "To close the accounts and settle the contracts of the board for the improvement of the river, harbor and bay of Mobile," beg leave to submit the following minority report, with statement of some of the leading facts and reasons which have guided them in the conclusions that the bill ought to be passed :

The object of the bill is to make it the duty of the commissioners of revenue of Mobile county, to examine the validity of any claims against the county, growing out of contracts made with the river and harbor board, for deepening and widening a channel in the bay of Mobile, and if any such be found by them to be just and unpaid, to provide the means of paying the same.

It is admitted that Messrs. Kimball & Slaughter had such a contract with the harbor board ; that by their contract they are justly entitled to six of the bonds of the county for one thousand dollars each, or to their value ; and that the harbor board, as such, has neither bonds nor money to pay them.

The county commissioners deny the legal liability of the county under this contract, and they refer to a decision of the supreme court which seems to settle that question.

An examination of the decisions of the supreme court, and certain statutes of this State on this matter, clearly shows that Messrs. Kimball & Slaughter have no remedy under their contract against the county or against the harbor board.

This peculiar condition of the case arises partly from the operation of two acts of the general assembly, and partly from the proceedings of the county commissioners and of the harbor board, and over neither of these had the claimants any control whatever.

The act of February, 1867, for the purpose of improving the bay and harbor of Mobile, so as to make it more accessible to vessels from the sea, created a body called the harbor board, and gave to the members, composing it, power to make contracts for excavating and deepening a channel in the river and bay of Mobile, and to supervise the execution of the same. And in the same act it was made the duty of the county commissioners to issue, on the requisition of the harbor board, the bonds of the county to an amount not exceeding one million dollars.

Under this act, sometime in 1871, the county commissioners did issue and deliver to the harbor board two hundred bonds of \$1,000 each, having twenty years to run. Amongst others, Kimball & Slaughter took a contract to do a portion of the work, and in June, 1872, by an agreement in writing, undertook to perform it by the first day of June, 1873, and to receive in payment the bonds of the county at 82½ per cent. on their face value, the bonds to be delivered to them as soon as the work was inspected and received.

The work of Kimball & Slaughter was fully executed by the 15th of March, 1873, and was accepted by the engineer; but for some reason the board did not meet until June 1st, 1873, when Kimball & Slaughter demanded of the board seventeen bonds, as then due to them under the contract.

The harbor board, through its president, Caleb Price, gave to them a certificate acknowledging that they were entitled to seventeen of the said two hundred bonds. The certificate was evidently given because the harbor board had not at the time any bonds under its immediate control. All of the issue of two hundred bonds had been sold or delivered in the course of their business, except forty-two, which had been hypothecated in one of the New York banks for a loan previously made to the harbor board. Mr. Charles Walsh, for

the harbor board, had effected the loan, and by some arrangement between him and Caleb Price, who was at the same time president of the harbor board, and also of the court of county commissioners, these bonds were brought back and deposited in the Bank of Mobile, in a short time after the delivery of the certificate to Kimball & Slaughter. On the 24th day of July, following, Mr. Price, for the county commissioners, bought from Mr. Walsh thirty-one of these bonds. Five days after that, the 29th July, Mr. Walsh placed to the credit of the harbor board the remaining eleven bonds, which, on the same day, were delivered to Kimball & Slaughter—thus disposing of all the bonds which the harbor board could control.

It will be observed that by an act of the legislature, approved the 19th day of April, 1873, the act of 1867 was repealed. The county commissioners were inhibited from issuing, and the harbor board from receiving, any more bonds, and the harbor board were required to close their accounts and to cease further operations. It will thus be seen that under the contract Kimball & Slaughter were entitled to six bonds, which, under the operation of the act of 1873, and the management of the county commissioners, the harbor board could not deliver.

The county commissioners, well knowing that Kimball & Slaughter were entitled to them by law, and that no other bonds could be issued to enable the harbor board to perform their contract, voluntarily intervened and bought them up at a price much below the price that Kimball & Slaughter were to take them at.

It further appears by the proceedings of a suit at the instance of the Harbor Board vs. The Ninth National Bank of New York, Charles Walsh and others, charged with the negotiations and with the custody of the two hundred bonds, that all of them had been accounted for, and that after the transactions referred to. The Harbor Board had neither the bonds nor the money wherewith to pay Kimball & Slaughter, so the harbor board not being a corporation; and having no money nor means of raising money, and being a mere instrument to carry into effect the will of the legislature, cannot be made liable for a failure to execute the contract, and the supreme court have determined that the county of Mobile is not liable, as it was not a party to the contract, and the commissioners had no power to make it liable.

If the act of 1867, under which the contract was made, had not been repealed, the harbor board could have demanded a sufficient number of additional bonds to enable it to complete

the contract, and the courts would have enforced the demand.

The county commissioners have evidently taken advantage of the repealing act, and the peculiar circumstances of the transactions deprive Kimball & Slaughter of *all* legal remedy.

The undersigned, therefore, believe that these parties have a clear and unquestionable equity against the county of Mobile for the amount due to them, and that it is the duty of the general assembly, whose act at a former session deprived them of their remedy, now to furnish the means by which their rights can be fairly adjudicated.

They therefore recommend the passage of the bill which was referred to their committee.

J. A. BILLUPS,
W. A. BRANTLEY,
P. MATHEWS,
O. W. SHEPARD.

Mr. Billups moved to substitute the minority for the majority report.

On motion of Mr. Woolf, the further consideration of the question was postponed and made the special order for tomorrow, 12 m.

The house resumed the consideration of the senate bill—s. B. 106. To make appropriations for the support of the public schools of this State.

The question pending, being the amendment of Mr. Harris of Perry—

Mr. Smith of Franklin, called for a division of the question.

Mr. Chambers moved to lay the motion to strike out "\$150,000" on the table. Carried—yeas 59, nays 24.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Billups, Blevins, Bliss, Bonner, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Dickson, Dillon, Espy, Fagan, Farriss, Franklin, Gilmer of Montgomery, Greene of Lee, Hamilton, Harris of Dallas, Higgins, Holloway, Jenkins, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Reese, Reid, Ross, Rousseau, Shepard, Stallworth, St. John, Straughn, Stribling, Troup, Wharton, Wilson, Wood of Marengo, and Wynne—59.

Those who voted nay are—

Messrs. Bell, Bennett, Boyd, Bozeman, Davis, Edwards, Greene of Jefferson, Gullede, Harris of Chambers, Harris of Perry, Heaton, Herman, Huey, Kirkland, Prowell, Purcell,

Sims, Smith of Franklin, Stevens, Tate, Townsend, Witherspoon and Woolf—24.

On motion of Mr. Anderson, (Mr. Clements in the chair,) the vote adopting the amendment reported by the committee was reconsidered, and the committee, by leave, withdrew the amendment, and the bill was read the third time and passed—yeas 60, nays 18.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Gilmer of Montgomery, Greene of Lee, Hamilton, Harris of Dallas, Herman, Higgins, Holloway, Jenkins, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Purcell, Reese, Reid, Ross, Sims, Stallworth, Stribling, Troup, Wharton, Witherspoon, Wood of Marengo, and Wynne—60.

Those who voted nay are—

Messrs. Bell, Bennett, Brown, Davis, Greene of Jefferson, Gulledge, Harris of Chambers, Harris of Perry, Heaton, Huey, Prowell, Rousseau, Smith of Franklin, Stevens, Tate, Townsend, Wilson and Woolf—18.

By leave, Mr. Smith of Franklin, offered the following joint resolution :

Resolved by the house, (the senate concurring,) That Hon. Joseph W. Taylor of this State, be requested to deliver an address on the subject of the one hundredth anniversary of American Independence, and that a committee of one on the part of the senate, and two on the part of the house, be appointed to make known this request to Mr. Taylor, and ascertain what time will suit his convenience to deliver the address.

Mr. Cockrell moved to lay the resolution on the table. Lost.

And the resolution was adopted.

Committee on the part of the house—Messrs. Smith of Franklin, and Beirne.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 15, 1876.

Mr. Speaker :

The senate has passed the following house bill:

H. B. 253. For the relief of E. J. Robinson of St. Clair county.

And has originated and passed the following bills :

S. B. 252. To require sheriffs and constables to levy first upon the crop of the tenant before resorting to the crop of the sub-tenant, in case of attachment for rent and advances.

S. B. 317. To authorize the successors of foreign executors, administrators and guardians, acting under authority of former laws of this State, to execute the powers conferred on their predecessors in office.

S. B. 279. To require persons holding claims against any county where the records have been destroyed by fire, to have them registered within twelve months.

Respectfully,

S. B. BREWER,
Secretary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 15, 1876.

Mr. Speaker :

The senate has originated and passed the following bill—

S. B. 302. To ratify and confirm the settlement of the existing indebtedness of this State, as proposed in the report of the commissioners appointed under the act approved December 17, 1874, and which was communicated to the general assembly by message of the governor of the 24th of January, 1876, and to carry said settlement into effect by the issuance of new bonds, at a reduced rate of interest, in adjustment of a portion of said indebtedness, and the surrender of certain securities held by this State in discharge of another portion of said indebtedness.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

BILLS ON SECOND READING.

The bills—

H. B. 430. In relation to the swamp and overflowed lands that have heretofore been sold.

H. B. 428. For the relief of clerks of the city and other criminal courts of this State;

Were severally read the second time and referred to the committee on the judiciary.

The bills—

H. B. 427. To create a lien on ships, steamboats and other water crafts, in certain cases.

H. B. 436. To require the court of county commissioners and the treasurer of Jefferson county, to publish semi-annual exhibits of the receipts and expenditures of money for and on account of said county.

Were severally read the second time, and referred to the committee on local legislation.

The bills—

H. B. 444. To make appropriations for the fiscal year ending September 30, 1876.

H. B. 435. To require the State to refund the money collected from persons, under section 112, subdivision 9, of the act to establish revenue laws for the State of Alabama, approved December 31st, 1868.

And the senate bill—

S. B. 163. To authorize and require courts of county commissioners to correct errors made by tax collectors in the sale of lands for taxes since the first day of January, in the year 1868;

Were severally read the second time, and referred to the committee on ways and means.

The bills—

H. B. 431. To repeal an act to increase and regulate the pay of jurors and witnesses in the county of Henry, approved February 17, 1871.

H. B. 432. To repeal an act to increase the per diem of the county commissioners of the counties of Henry, Barbour, Wilcox and Washington, approved March 14, 1873, so far as the same relates to the county of Henry;

Were severally read the second time and referred to the committee on fees and salaries.

The bills—

H. B. 434. To ratify certain proceedings therein named.

H. B. 433. To repeal an act to incorporate the town of Centerville, in the county of Bibb, approved January 21, 1832;

Were severally read the second time, and referred to the committee on corporations.

The bill—

H. B. 429. To repeal an act to annex fractional township 7, range 12, according to the Florida survey, to township 1 of

range 26, according to the Alabama survey, approved January 29, 1875;

Was read the second time and referred to the committee on education.

The bill—

H. B. 437. To prevent destruction of property by dogs;

Was read the second time and referred to the committee on agriculture and commerce.

H. B. 438. To repeal section 1047 of the Revised Code.

H. B. 439. To amend " 1050 " " "

H. B. 440. " " " 1053 " " "

H. B. 441. " " " 1054 " " "

H. B. 442. " " " 1066 " " "

H. B. 443. To amend section one of an act for the support of the Alabama Insane Hospital, approved February 16, 1871;

Were severally read the second time and referred to the committee on public buildings and institutions.

The senate bills—

s. B. 252. To require sheriffs and constables to levy first upon the crop of the tenant, before resorting to the crop of the sub-tenant, in case of attachment for rent and advances.

s. B. 272. To ratify the agreement made by John M. McKleroy, superintendent of public instruction, to compromise the liability of the sureties on the official bond of William J. Gilmore, late superintendent of education of Choctaw county.

s. B. 279. To require persons holding claims against any county where the records have been destroyed by fire, to have them registered within twelve months.

s. B. 317. To authorize the successors of foreign executors, administrators and guardians, acting under authority of former laws of this State, to execute the powers conferred on their predecessors in office.

s. B. 302. To ratify and confirm the settlement of the existing indebtedness of this State, as proposed in the report of the commissioners appointed under the act approved December 17, 1874, and which was communicated to the general assembly by message of the governor of 24th January, 1876, and to carry said settlement into effect by the issuance of new bonds, at a reduced rate of interest, in adjustment of a portion of said indebtedness, and the surrender of certain securities held by the State in discharge of another portion of said indebtedness;

Were severally read once and ordered to a second reading on to-morrow.

The house next proceeded to the consideration of the amendment of the senate to the bill—

H. B. 162. To fix the times of holding the circuit courts in and for the third judicial circuit of this State;

And refused to concur therein—yeas 22, nays 45.

Those who voted yea are—

Messrs. Speaker, Allen, Andrews, Barron, Beirne, Billups, Bonner, Brewer, Baker, Crews, Dillon, Hamilton, Maples, Mathews, Mitchell, Wilson, Price, Prowell, Sims, Tate, Wharton and Woolf—22.

Those who voted nay are—

Messrs. Aldridge, Baldwin, Bell, Blevins, Boyd, Brantley, Cashin, Chambers, Cook, Cockrell, Davis, Dickson, Edwards, Espy, Fagan, Farriss, Franklin, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Kirkland, Lee, Leslie, Lewis, Locke, Martin, McDuffie, Reese, Reid, Smith of Franklin, Stevens, Stribling, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo, and Wynne—45.

UNFINISHED BUSINESS.

The next business in order, was the consideration of the bill—

H. B. 176. To provide for the incorporation of fence districts in this State;

Which was read the third time.

Mr. Wood, of Marengo, moved to lay the bill on the table.

Lost—yeas 24, nays 42.

Those who voted yea are—

Messrs. Aldridge, Baldwin, Barron, Bennett, Blevins, Bliss, Boyd, Brantley, Cashin, Cook, Fagan, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, Mitchell, Reese, Reid, Wood of Marengo, and Wynne—24.

Those who voted nay are—

Messrs. Andrews, Beirne, Bell, Billups, Bonner, Brown, Chambers, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Franklin, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Huey, Kirkland, Maples, Nelson, Price, Prowell, Purcell, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wilson, Witherspoon and Woolf—42.

Those who voted yea are—

And the bill passed—yeas 41, nays 28.

Messrs. Speaker, Andrews, Beirne, Bell, Bonner, Brown, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Franklin, Greene of Lee, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Huey, Jenkins, Kirkland, Maples, Nelson, Price, Prowell, Purcell, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, Stribling, Tate, Townsend, Troup and Woolf—41.

Those who voted nay are—

Messrs. Aldridge, Baldwin, Barron, Bennett, Billups, Blevins, Bliss, Boyd, Brantley, Cashin, Cook, Fagan, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Matthews, Mitchell, Reese, Reid, Straughn, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—28.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary Mr. Davis :

EXECUTIVE DEPARTMENT,
February 15, 1876.

*Gentlemen of the Senate and of the
House of Representatives of the State of Alabama :*

I herewith submit the enclosed communication from Mr. Henry St. Paul of Mobile, and ask your attention to their contents, as well as to the present condition of the swamp and overflowed lands in this State. How much, if any, remain unsold, and what shall be done with them; the amount sold since the last report of the receiver, when and to whom sold, and at what price.

Very respectfully,

GEO. S. HOUSTON,
Governor of Alabama.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
February 15, 1876.

Mr. Speaker :

The Governor has approved the following bills, which originated in the house of representatives :

H. B. 211. To establish and regulate an additional term of the chancery court for the third district (composed of Marengo county) of the western chancery division of Alabama.

H. B. 261. To repeal an act in relation to the trial of misdemeanors in Tuscaloosa and other counties therein named, so far as the same relates to Washington county.

Respectfully,

L. R. DAVIS,
Private Secretary.

On motion of Mr. Greene of Lee the communication of the Governor in regard to the swamp and overflowed lands, and accompanying documents, were referred to a special committee of five, with instructions to report by bill or otherwise.

Mr. Green of Lee, from the committee on fees and salaries, returned to the house the bill—

H. B. 383. For the relief of J. R. Wing, and other persons therein named;

And asked that it be referred to the committee on accounts and claims, and was so referred.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported as correctly enrolled the bill:

H. B. 253. For the relief of E. J. Robinson of St. Clair county.

SIGNING BILL BY THE SPEAKER.

The speaker in the presence of the house, and immediately after the title had been publicly read, signed said bill, (H. B. 253.)

On motion of Mr. Allen, the house adjourned until to-morrow morning, 10 o'clock.

FORTY-THIRD DAY.

WEDNESDAY, February 16, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Barron, Beirne, Bell, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Boze-

man, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, Matthews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—78.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Bliss for one day.

SENATE BILLS ON SECOND READING.

The senate bill—

s. B. 279. To require persons holding claims against any county, where the records have been destroyed by fire, to have them registered within twelve months ;

Was read the second time and referred to the committee on local legislation.

The senate bill—

s. B. 272. To ratify the agreement made by John M. McKleroy, superintendent of public instruction, to compromise the liability of the sureties on the official bond of William J. Gilmore, late superintendent of education of Choctaw county ;

Was read the second time and referred to the committee on education.

The senate bills—

s. B. 317. To authorize the successors of foreign executors, administrators and guardians, acting under authority of former laws of this State, to execute the powers conferred on their predecessors in office ;

s. B. 252. To require sheriffs and constables to levy first upon the crop of the tenant, before resorting to the crop of the sub-tenant, in case of attachment for rent and advances ;

Were severally read the second time, and referred to the committee on the judiciary.

The senate bill—

s. B. 302. To ratify and confirm the settlement of the ex-

isting indebtedness of this State, as proposed in the report of the commissioners appointed under the act approved December 17, 1874, and which was communicated to the general assembly by message of the governor, of 24th of January, 1876, and to carry said settlement into effect by the issuance of new bonds, at a reduced rate of interest, in adjustment of a portion of said indebtedness, and the surrender of certain securities, held by the State, in discharge of another portion of said indebtedness;

Was read the second time, and, on motion of Mr. Clements, was referred to a select committee, to be composed of the members appointed on the joint committee on the report of the commissioners to arrange and adjust the State debt, and such members of the judiciary committee as the speaker may see fit to add thereto.

The speaker added to the committee, Messrs. Price, Billups and Beirne.

By leave, Mr. Stallworth, from the committee on corporations, reported favorably to the senate bill—

S. B. 277. To incorporate the Mathews Cotton Mills Company;

Which bill was read the third time and passed, and ordered returned to the senate forthwith.

Yeas 80, nays none.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Matthews, McDuffie, Mitchell, Nelson, Price, Prowell, Reese, Reid, Rice, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—80.

Also, by leave, from same committee, reported favorably, with an amendment, to the senate bill—

S. B. 158. To incorporate the North Alabama Mining and Manufacturing Company.

Amend by additional section, as follows:

Section 6. Be it further enacted, That the principal office

of said company shall be located in the city of Huntsville, in the State of Alabama.

The amendment was adopted, and the bill read the third time and passed, and ordered to be returned forthwith to the senate.

Yeas 80, nays none.

Those who voted yea are—

Messrs. Allen, Andrews, Baldwin, Barnett, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Matthews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—80.

REPORTS FROM STANDING COMMITTEES.

Mr. Woolf made the following report :

Mr. Speaker :

The committee on finance, to which was referred the resolution instructing them to inquire into the propriety of providing for the collection of one-fifth of the revenue of the State in lawful currency of the United States, have had the same under consideration, and instruct me to report the accompanying bill and recommend its passage.

H. A. WOOLF,
Chairman.

The bill entitled

H. B. 444½. An act to provide for the payment of the interest on the public debt ;

Was read once, and ordered to a second reading on tomorrow.

Mr. Woolf, from same committee, reported favorably, with amendment, to the senate bill—

s. B. 226. To authorize the Governor to negotiate tempo-

rary loans for the use of the State, as provided in section three, article ten, of the constitution.

Amend section two, line five, by adding, after the word "thereof," the words "and countersigned by the Treasurer." Also, add the following at the close of section two: "Said notes shall be registered, and a descriptive list thereof be filed in the office of the Auditor, in a book to be kept for that purpose; and provided further, that this act shall not continue in force longer than the close of the next session of the general assembly."

The amendment was adopted, and the bill read the third time and passed—yeas 78, nays 2.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bonner, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Franklin, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—78.

Those who voted nay are—

Messrs. Cockrell and Matthews—2.

Also, favorably to the senate bill—

s. B. 244. To authorize and require the Governor and Treasurer to retire and destroy the obligations of the State, issued under the provisions of an act to provide for the funding of the domestic debt of this State, approved December 19th, 1873, to the extent and in such sums annually as the condition of the treasury will allow, without injury to the public interests.

Mr. Wilson moved to amend by adding, after the words "extent of," the words "not less than two hundred thousand dollars."

On motion of Mr. Maples, the amendment was laid on the table, and the bill read the third time and passed—yeas 79, nays none.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Beirne,

Bell, Bennett, Betts, Billups, Blevins, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Franklin, Grant, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Matthews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—79.

Also, favorably, with amendment, to the bill—

H. B. 290. To limit and define taxation, for county purposes, in this State.

Amend by adding at the close of section four: "Provided further, That all references, and authority conferred by this act, on the court of county commissioners, shall also include all other boards, or courts, now in existence in any county in this State of like jurisdiction and powers." Adopted.

The bill was read the third time, and, on motion of Mr. Brewer, the further consideration of the bill was postponed until twelve, m., to-morrow, and made the special order for that hour.

Also, from same committee, favorably, to the bill—

H. B. 299. To provide for and extend the time for the redemption of lands sold for taxes, where purchased by individuals;

Which bill was read the third time.

Mr. Bozeman moved to lay the bill on the table. Lost.

And the bill passed—yeas 49, nays 32.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Beirne, Betts, Billups, Blevins, Bonner, Brewer, Baker, Brown, Carson, Chambers, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Franklin, Greene of Lee, Harris, of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Maples, Mitchell, Nelson, Prowell, Purcell, Rice, Ross, Rousseau, Sims, Stevens, St. John, Tate, Townsend, Troup and Woolf—49.

Those who voted nay are—

Messrs. Allen, Bell, Bennett, Boyd, Bozeman, Brantley, Cashin, Cockrell, Fagan, Greene of Jefferson, Gulledege, Hamilton, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke,

Martin, Mathews, McDuffie, Reese, Reid, Smith of Franklin, Straughn, Stribling, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—32.

By leave, bills were introduced—

By Mr. Beirne, (with memorial)—

H. B. 445. To amend an act, approved February 17, 1871, to amend an act entitled an act to establish a new charter for the city of Huntsville, approved March 3, 1870.

By Mr. Price—

H. B. 446. To amend an act to regulate the term of service of jurors, approved March 15, 1875;

Which bills were severally read once, and ordered to a second reading on to-morrow.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 16, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 194. To amend section 3250 of the Revised Code.

H. B. 214. To amend section 3522 of the Revised Code.

H. B. 46. To provide for the payment of costs in criminal cases in which indictments are withdrawn and filed.

H. B. 197. To incorporate the Alabama Fertilizer Company.

And has amended, as therein shown, and passed the following house bills :

H. B. 58. To authorize the publication of the laws of a general character, passed at the present session of the general assembly.

H. B. 205. To amend sections 4363, 4368 and 4369 of the Revised Code.

The senate has originated and passed the following bills:

S. B. 308. To authorize the courts of probate to appoint special guardians for wards, and make settlement of the estates of deceased persons in certain cases.

S. B. 181. To provide for the settlement of so much of the taxes for the year 1875 as have been collected by the tax collectors for the year 1874.

S. B. 230. To repeal an act to regulate the publication of legal notices in the counties of Blount, Talladega, Clay, Coosa, and Tallapoosa, approved 8th March, 1871, so far as the same applies to the county of Blount.

S. B. 48. To prescribe the manner in which the exemption

of property from sale on execution or other process of any court in this State, may be waived.

s. B. 296. To amend section 3203 of the Revised Code.

s. B. 276. To fix and regulate the times of holding the circuit courts of the 12th judicial circuit.

s. B. 242. To provide for the return to the office of the judge of probate of all the books furnished by the State to county solicitors.

s. B. 326. To incorporate the Gulf Mining Company.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
February 15, 1876. }

Mr. Speaker :

I am instructed by the Governor to communicate to the house of representatives a message in writing, with accompanying documents.

Respectfully,

L. R. DAVIS,
Private Sec'y.

EXECUTIVE DEPARTMENT,
February 16, 1876.

Gentlemen of the Senate and of the House of Representatives of the State of Alabama :

I have the honor to report that by virtue of an act of the general assembly, approved 18th March, 1875, entitled "An act to authorize the Governor to compromise and settle a balance claimed by the State against Z. I. Wright, late tax collector of Jackson county," I have compromised said balance for the sum of one thousand dollars, and have received a certificate from the State Treasurer showing that the amount so accepted as a compromise has been paid into the treasury of the State.

Very respectfully,

GEO. S. HOUSTON,
Governor.

SPECIAL ORDER.

The hour of twelve o'clock having arrived, the house proceeded to the consideration of the special order for this hour, viz :

The motion to substitute the minority for the majority report of the committee on local legislation, upon the senate bill—

s. B. 80. To close the accounts and settle the contracts made by the board for the improvement of the river, harbor and bay of Mobile.

Pending the consideration of which, on motion of Mr. Wood of Talladega, the house took a recess until 4 p. m., (Mr. Price entitled to the floor.)

AFTERNOON SESSION.

House met pursuant to adjournment.

The senate bills—

s. B. 326. To incorporate the Gulf Mining Company.

s. B. 308. To authorize courts of probate to appoint special guardians for wards, and make settlements of the estates of deceased persons in certain cases.

s. B. 181. To provide for the settlement of so much of the taxes for the year 1875, as have been collected by the tax collectors for the year 1874.

s. B. 296. To amend section 3203 of the Revised Code.

s. B. 276. To fix and regulate the times of holding the circuit courts of the 12th judicial circuit.

s. B. 242. To provide for the return to the office of the judge of probate all books furnished by the State to county solicitors.

s. B. 230. To repeal an act to regulate the publication of legal notices in the counties of Blount, Talladega, Clay, Coosa and Tallapoosa, approved 8th March, 1871, so far as the same relates to the county of Blount.

s. B. 48. To prescribe the manner in which the exemption of property from sale on execution or other process, of any court in this State, may be waived.

Were severally read once and ordered to a second reading on to-morrow.

By leave, the following bills were introduced:

By Mr. Holloway—

H. B. 447. To exempt certain property from levy and sale to every resident of this State, and to provide for the assessment of its value.

By Mr. Woolf—

H. B. 448. To provide for the keeping of dockets in criminal cases by justices of the peace and notaries public.

By Mr. Mitchell—

H. B. 449. To regulate the fine and forfeiture fund of Montgomery county.

By Mr. Chambers—

H. B. 450. To prevent county officials from being interested in county contracts.

By Mr. Huey—

H. B. 451. For the protection of patients;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Grant presented petition of certain citizens of Lowndes in regard to H. A. Carson, sitting member from Lowndes county;

Which was referred to the committee on privileges and elections.

The house then resumed the consideration of the motion to substitute the minority report for the adverse report of the majority of the committee on local legislation to the senate bill—

S. B. 80. To close the accounts and settle the contracts made by the board for the improvement of the river, harbor and bay of Mobile.

(Mr. Price entitled to the floor.)

Pending the consideration of which, on motion of Mr. Smith of Franklin, the house adjourned until to-morrow morning, 10 o'clock.

(Mr. Anderson entitled to the floor.)

FORTY-FOURTH DAY.

THURSDAY, February 17, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Carson, Cashin, Chambers, Clements, Cockrell, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—79.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Brown and Gibson for five days, and Bliss two days on account of sickness.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported correctly enrolled the following bills, viz :

H. B. 197. To incorporate the Alabama Fertilizer Company.

H. B. 194. To amend section 3250 of the Revised Code.

H. B. 214. To amend section 3522 of the Revised Code.

H. B. 46. To provide for the payment of costs in criminal cases, in which indictments are withdrawn and filed.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after their titles had been publicly read, signed the said bills, (H. B. 197) (H. B. 194) (H. B. 214) and (H. B. 46.)

And also the senate bills—

s. B. 277. To incorporate the Mathews Cotton Mills Company.

s. B. 25. To authorize letters testamentary to be issued to persons who are non-residents of this State.

By leave, bills were introduced—

By Mr. Kimmey (with evidence of publication of notice, &c.)—

H. B. 452. To incorporate Clintonville Academy, in Coffee county.

Also,

H. B. 453. To adjust and settle the claims outstanding against the educational department of the State.

By Mr. Price—

H. B. 454. To carry into effect and to regulate contracts made under section 30 of article 4 of the constitution of this State;

Which bills were severally read once and ordered to a second reading on to-morrow.

By leave, Mr. Brewer, from the committee on ways and means, reported favorably to the bill—

H. B. 444. To make appropriations for the fiscal year ending September 30, 1876;

Which bill was read the third time and passed—yeas 79, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Lee, Leslie, Lewis, Locke, Maples, Martin, Matthews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon and Woolf—79.

Mr. Blevins voted nay.

BILLS ON SECOND READING.

The bill—

H. B. 444 $\frac{1}{2}$. To provide for the payment of the interest on the public debt;

Was read the second time and referred to the committee on finance.

The bill—

H. B. 445. To amend an act approved February 17, 1871, to amend an act entitled an act to establish a new charter for the city of Huntsville, approved March 3, 1870;

Was read the second time and referred to a special committee, composed of the Madison delegation.

The bills—

H. B. 446. To amend an act to regulate the term of service of jurors, approved March 15, 1875;

H. B. 447. To exempt certain property from levy and sale to every resident of this State, and to provide for the assessment of its value;

H. B. 448. To provide for the keeping of dockets in criminal cases by justices of the peace and notaries public;

H. B. 450. To prevent county officials from being interested in county contracts;

H. B. 451. For the protection of patients.

And the senate bills—

S. B. 230. To repeal an act to regulate the publication of legal notices in the counties of Blount, Talladega, Clay, Coosa and Tallapoosa, approved March 8, 1871, so far as the same applies to the county of Blount;

S. B. 242. To provide for the return to the office of the judge of probate of all the books furnished by the State to county solicitors;

S. B. 296. To amend section 3203 of the Revised Code;

S. B. 308. To authorize the courts of probate to appoint special guardians for wards and make settlements of the estates of deceased persons in certain cases;

Were severally read the second time and referred to the committee on the judiciary.

The bill—

H. B. 449. To regulate the fine and forfeiture fund of Montgomery county,

Was read the second time and referred to the committee on fees and salaries.

The senate bill—

S. B. 48. To prescribe the manner in which the exemption

of property from sale and execution, or other process of any court in this State, may be waived ;

Was read the second time and referred to the committee on the judiciary, and 150 copies ordered printed.

The senate bill—

S. B. 181. To provide for the settlement of so much of the taxes for the year 1875, as have been collected by the tax collectors for the year 1874 ;

Was read the second time and referred to the committee on ways and means.

The senate bill—

S. B. 326. To incorporate the gulf mining company ;

Was read the second time, and referred to the committee on corporations.

The house concurred in the senate amendment to the bill—

H. B. 215. To amend sections 4363, 4368 and 4369 of the Revised Code, and otherwise regulate coroners' inquests.

Yeas 71, nays 2.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Bell, Bennett, Betts, Bonner, Boyd, Bozeman, Brewer, Brantley, Carson, Chambers, Clements, Cook, Cockrell, Crews, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Kimmey, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, Woolf and Wynne—71.

Those who voted nay are—

Messrs. Billups and Reese.

The house next proceeded to the consideration of the senate amendment to the bill—

H. B. 58. To authorize the publication of the laws of a general character, passed at the present session of the general assembly ;

On motion of Mr. Rice, it was referred to the committee on the judiciary.

By leave, Mr. Stallworth, from the committee on corporations, reported favorably to the bill—

H. B. 298. To incorporate the North Alabama immigration aid society ;

Which bill was read the third time and passed—yeas 59, nays 4.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Beirne, Bell, Betts, Billups, Bonner, Brewer, Baker, Carson, Chambers, Clements, Cockrell, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Grant, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Harris of Chambers, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Lewis, Locke, Maples, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—59.

Those who voted nay are—

Messrs. Bennett, Matthews, Reese and Wynne—4.

By leave, bills were introduced—

By Mr. Herman—

H. B. 455. To authorize the Governor of Alabama to extend pardon and grant amnesty to Dock Mangum, now under indictment for murder in Lauderdale county;

By Mr. Tate, (with evidence of publication of notice, &c.)—

H. B. 456. To authorize courts of county commissioners of Butler county to levy taxes for the purpose of refunding to tax collectors moneys paid into the county treasury as county taxes by them, which they have not collected from the people, by mistaking the rate of taxation;

Which bills were severally read once, and ordered to a second reading on to-morrow.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

February 17, 1876.

Mr. Speaker :

The senate has originated and passed the following bills—

S. B. 334. Joint resolution requiring the reports of State officers, and other public documents, submitted to the general assembly to be filed, and kept in the office of the secretary of State ;

S. B. 312. To prescribe the time of holding the courts of the eastern chancery division ;

s. B. 298. To amend sections 2, 3 and 4 of an act in relation to fences, the protection of crops and other property in Sumter and Pickens counties, approved February 19th, 1867;

s. B. 237. To make it penal to sell or buy, any public office created or provided for by the constitution and laws of this State, or any of the fees, perquisites, or emoluments thereof;

s. B. 164. To compromise the debt of any county in this State whose obligations are worth less than par value;

s. B. 358. To amend the act to incorporate the city of Tuscaloosa, by the addition of sections in reference to slaughter houses.

The senate has passed the following house bill—

H. B. 387. To authorize and regulate the payment and collection of interest at Montgomery on the bonds of the State, belonging to the agricultural and mechanical college.

And has amended, as therein shown, and passed the house bill—

H. B. 347. To fix and regulate the times of holding the circuit court in the counties of St. Clair and Calhoun, at the spring terms of 1876, of said courts.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
February 17, 1876.

Mr. Speaker :

The Governor has approved the following bills, which originated in the house of representatives :

H. B. 197. An act to incorporate the Alabama Fertilizer Company;

H. B. 194. To amend section 3250 of the Revised Code ;

H. B. 46. An act to provide for the payment of costs in criminal cases in which indictments are withdrawn and filed ;

H. B. 214. An act to amend section 3522 of the Revised Code.

Respectfully,

L. R. DAVIS,
Private Secretary.

The house next proceeded to the consideration of the motion pending at adjournment, to substitute the minority for that of the majority report of the committee on local legislation, to the senate bill—

s. B. 80. To close the accounts and settle the contracts made by the board for the improvement of the river, harbor and bay of Mobile.

(Mr. Anderson entitled to the floor.)

The vote being taken on the motion to substitute, resulted—yeas 67, nays 18.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Barron, Bennett, Billups, Blevins, Boyd, Baker, Brantley, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Davis, Dickson, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gilmer of Montgomery, Grant, Greene of Lee, Gulledege, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Purcell, Reese, Reid, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Wynne—67.

Those who voted nay are—

Messrs. Andrews, Beirne, Bell, Betts, Bonner, Brewer, Crews, Dillon, Greene of Jefferson, Hamilton, Harris of Chambers, Huey, Leslie, Price, Rice, Stallworth, Wood of Marengo and Woolf—18.

Mr. Price moved to amend the bill as follows: Insert after the word "board" and before the word "for" in the eighth line of the first section, the following: "Made or executed between the 15th day of June and the first day of July, in the year 1872."

The amendment was adopted.

Mr. Price moved to amend as follows: By adding at the end of section one the following: "Provided, that nothing in this act contained, shall be so construed as to compel said county to pay any amount or sum due by said harbor board, on any contract made by them, which said county is not now by law or in equity liable to pay."

On motion of Mr. Anderson, (Mr. Clements in the chair,) the amendment was laid on the table—yeas 62, nays 18.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Barron, Bennett, Billups, Blevins, Boyd, Baker, Brantley, Carson, Cashin,

Chambers, Clements, Cook, Cockrell, Davis, Dickson, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gilmer of Montgomery, Grant, Greene of Lee, Harris of Dallas, Harris of Perry, Heaton, Herman, Jenkins, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Nelson, Purcell, Reese, Reid, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Wynne—62.

Those who voted nay are—

Messrs. Andrews, Bell, Betts, Bonner, Brewer, Crews, Dillon, Greene of Jefferson, Hamilton, Harris of Chambers, Holloway, Huey, Leslie, Price, Rice, Stallworth, Wood of Marengo, and Woolf—18.

The bill was read the third time and passed—yeas 65, nays 17.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Barron, Bennett, Billups, Blevins, Boyd, Baker, Brantley, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Davis, Dickson, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gilmer of Montgomery, Grant, Greene of Lee, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Jenkins, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Matthews, McDuffie, Mitchell, Nelson, Purcell, Reese, Reid, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega and Wynne—65.

Those who voted nay are—

Messrs. Andrews, Bell, Betts, Bonner, Brewer, Crews, Dillon, Greene of Jefferson, Hamilton, Harris of Chambers, Huey, Leslie, Price, Rice, Stallworth, Wood of Marengo, and Woolf—17.

Mr. Chambers moved to take a recess until 4 p. m. Lost.

Mr. Stallworth reported back to the house the bill—

H. B. 434. To ratify certain proceedings therein named;

And asked that it be referred to the judiciary committee.

It was so referred.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary :

EXECUTIVE DEPARTMENT,

February 17, 1876.

Mr. Speaker :

The Governor has approved the following bill, which originated in the house of representatives :

H. B. 253. For the relief of E. J. Robinson of St. Clair county.

Respectfully,

L. R. DAVIS,
Private Sec'y.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported correctly enrolled the following bill—

H. B. 387. To authorize and regulate the payment and collection of interest, at Montgomery, on the bonds of the State belonging to the Agricultural & Mechanical College.

SIGNING BILL BY THE SPEAKER.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said

And, also, the senate bill—

S. B. 106. To make appropriations for the support of the public schools of this State.

On motion of Mr. Allen, the house adjourned until to-morrow morning, 10 o'clock.

FORTY-FIFTH DAY.

FRIDAY, February 18, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Andrews.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Bar-

ron, Beirne, Bell, Bennett, Betts, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—80.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Wilson for two days.

By leave, Mr. Beirne, from the judiciary committee, reported a substitute for the senate bill—

s. B. 5. To define and regulate the practice and proceedings in mandamus cases.

The substitute was adopted, and the bill read the third time and passed—yeas 75, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Matthews, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—75.

Mr. Betts, from special committee, reported favorably to the bill—

H. B. 445. To amend an act approved February 17, 1871, to amend an act to establish a new charter for the city of Huntsville, approved March 3, 1870.

Amend by additional section to be numbered section 3.

The amendment was adopted, and the bill read the third time and passed ;

Yeas 73, nays 3.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Chambers, Clements, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Mathews, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—73.

Those who voted nay are—

Messrs. Blevins, Cashin and Martin—3.

Mr. Grant, from special committee, reported favorably to the bill—

H. B. 343. For the relief of Chas. Martin and A. Clark, composing the firm of Martin & Clark of Calhoun county;

Which bill was read the third time and passed—yeas 59, nays 18.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barron, Bell, Betts, Bonner, Bozeman, Brewer, Baker, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Grant, Greene of Lee, Gulledege, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Kimmey, Kirkland, Lee, Leslie, Maples, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—59.

Those who voted nay are—

Messrs. Baldwin, Bennett, Billups, Bliss, Boyd, Brantley, Cashin, Cockrell, Fagan, Franklin, Harris of Chambers, Lewis, Locke, Martin, Reese, Reid, Wood of Talladega, and Wynne—18.

BILLS ON SECOND READING.

The bill—

H. B. 452. To incorporate Clintonville Academy, in Coffee county.

Was read the second time and referred to the committee on temperance.

The bill—

H. B. 453. To adjust and settle the claims outstanding against the educational department of the State ;

Was read the second time and referred to the committee on education.

The bill—

H. B. 454. To carry into effect and to regulate contracts made under section 30 of article 4 of the constitution of this State ;

Was read the second time and referred to the special committee on the constitution.

The bill—

H. B. 455. To authorize the Governor of Alabama to extend pardon and grant amnesty to Dock Mangum, now under indictment for murder in Lauderdale county ;

Was read the second time and referred to the committee on the judiciary, with instructions to report as early as practicable.

The bill—

H. B. 456. To authorize the court of county commissioners of Butler county to levy taxes for the purpose of refunding to tax collectors moneys paid into the county treasury as county taxes by them, which they have not collected from the people, by mistaking the rate of taxation ;

Was read the second time and referred to the committee on ways and means.

The senate bills—

s. B. 312. To prescribe the time of holding the courts of the eastern chancery division ;

s. B. 164. To compromise the debt of any county in this State whose obligations are worth less than par value ;

s. B. 358. To amend the act to incorporate the city of Tuscaloosa, by the addition of sections in regard to slaughter houses ;

s. B. 237. To make it penal to sell or buy any public office created or provided for by the constitution and laws of this State, or any of the fees, perquisites or emoluments thereof ;

s. B. 334. Joint resolution requiring the reports of State officers, and other public documents, submitted to the general assembly to be filed, and kept in the office of the secretary of State ;

s. B. 298. To amend sections two, three and four of an act in relation to fences, the protection of crops and other prop-

erty in Sumter and Pickens county, approved February 19, 1867;

Were severally read once and ordered to a second reading on to-morrow.

The house concurred in the senate amendment to the bill—

H. B. 347. To fix and regulate the times of holding the circuit courts in the counties of St. Clair and Calhoun, at the spring term, 1876, of said counties ;

Yeas 76, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Carson, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Mathews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—76.

Mr. Wharton, from special committee, reported favorably to the bill—

H. B. 424. To detach Blount county from the seventh congressional district, and attach it to the sixth.

Mr. Harris of Perry moved to amend "by taking the county of Hale from the fourth and attach it to the sixth district."

On motion of Mr. Grant, the amendment was laid on the table.

Mr. Reid moved to lay the bill on the table ;

Lost.

The bill was then read the third time and passed ;

Yeas 55, nays 22.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Billups, Bonner, Brewer, Carson, Chambers, Clements, Crews, Davis, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf—55.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Bliss, Boyd, Bozeman, Brantley, Cashin, Dillon, Grant, Harris of Dallas, Harris of Perry, Lee, Locke, Martin, Matthews, Reese, Reid, St. John, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—22.

On motion of Mr. Mitchell, the consideration of the bill—

s. B. 228. To provide for the payment of the expenses of the joint committee of the two houses appointed to investigate the facts relating to the alleged election of George E. Spencer, United States senator;

Which was made the special order for 12 m. to-day, was postponed and made the special order for to-morrow, immediately after the reading of the journal.

By leave, Mr. Chambers offered joint resolution—

H. B. 457. To appoint a committee of five, three members of the house of representatives and two members of the senate, to investigate and report to the Governor upon the financial dealings and accounts of Robert B. Lindsay and D. P. Lewis, while respectively discharging the duties of Governor of the State, and of the financial and fiscal agents of the State, acting under them.

Mr. Betts moved to amend by adding to section 3, the following: "To report further whether or not there are any, and if any, what means, civil or criminal, for calling said parties to account for any such malfeasance, or misfeasance in office;"

The amendment was adopted.

Mr. Mathews moved to amend by adding to last section the following:

"Provided, such attorney so employed shall not be entitled to any compensation for such services from the State;"

Which, on motion of Mr. Mitchell, was laid on the table.

Mr. Cashin moved to amend by striking out all after the word "investigation," in the last section, and insert in lieu thereof the words "by the Attorney General of the State;"

The amendment was adopted.

Mr. Lewis moved to amend by adding "Provided that each political party be represented on said committee;"

Which, on motion of Mr. Billups, was laid on the table.

And the joint resolution was adopted.

Committee on the part of the house—Messrs. Chambers, Woolf and Wood of Talladega.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 18, 1876.

Mr. Speaker :

The senate concurs in the house amendments to the senate bills—

s. B. 158. To incorporate the North Alabama Mining and Manufacturing Company.

s. B. 226. To authorize the Governor to negotiate temporary loans for the use of the State, as provided in section 3, article x of the constitution.

The senate has adopted the house joint resolution—

Authorizing the Governor to appoint three additional members on the centennial commission.

And has passed the following house bills :

H. B. 100. To abolish the court of county commissioners of Dallas county ;

H. B. 308. To establish a court of county revenue for Dallas county ;

H. B. 230. To prohibit the sale, or giving away of spirituous liquors within three miles of the Baptist and Presbyterian churches at Pleasant Hill, Dallas county.

And has adopted the following joint resolution, and ordered the same forthwith to the house :

Resolved by the Senate, (the house of representatives concurring.) That the select committees of the senate and of the house, to which was referred the Governor's message in relation to the swamp and overflowed lands, be constituted a joint committee of the two houses.

And has originated and passed the following bills :

s. B. 210. To amend section ninety-one of "An act to regulate elections in the State of Alabama, approved March 3, 1875 ;

s. B. 310. To appropriate twenty-five hundred dollars for repairing the capitol, and fencing inclosing the same ;

s. B. 32. To provide for the punishment of crimes in certain cases.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary :

EXECUTIVE DEPARTMENT,
February 18, 1876.

Mr. Speaker :

The Governor has approved the following bill, which originated in the house of representatives :

H. B. 387. To authorize and regulate the payment and collection of interest, at Montgomery, on the bonds of the State belonging to the Agricultural & Mechanical College.

Respectfully,

L. R. DAVIS,
Private Sec'y.

By leave, Mr. Baker introduced a bill—

H. B. 458. To change the boundary line between the counties of Clarke and Monroe ;

Which was read once and ordered to a second reading on to-morrow.

On motion of Mr. Price, the joint resolution of the senate appointing joint committee on the Governor's message in relation to the swamp and overflowed lands, was taken up.

Mr. Price moved to amend by adding thereto, "and said committee shall have authority to send for persons and papers."

The amendment was adopted, and the resolution, as amended, was adopted.

On motion of Mr. Woolf, the regular order of business was suspended, to allow the standing committees to report.

Mr. Woolf, from the committee on finance, reported favorably to the bill—

H. B. 444½. To provide for the payment of the interest on the public debt.

On motion of Mr. Anderson (Mr. Greene of Lee in the chair), the further consideration of the bill was postponed, and made the special order for 1, p. m., to-morrow.

Mr. Price, from the committee on local legislation, reported favorably to the bill—

H. B. 391. To amend an act to regulate the practice in the circuit court of Mobile county, approved March 1, 1870 ;

Which bill was read the third time and passed—yeas 71, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Bell, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Brantley, Carson, Chambers, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—71.

Mr. Lewis voted nay.

Also, favorably to the bill—

H. B. 199. To regulate the publication of legal notices in the county of Marshall;

Which bill was read the third time and passed—yeas 57, nays 6.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Bell, Betts, Bonner, Brantley, Cashin, Cook, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Jenkins, Kimmey, Kirkland, Leslie, Locke, Maples, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reid, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega and Woolf—57.

Those who voted nay are—

Messrs. Billups, Bliss, Boyd, Lewis, Reese and Wynne—

Also, favorably to the bill—

H. B. 436. To require the court of county commissioners and the treasurer of Jefferson county, to publish semi-annual exhibits of the receipts and expenditures of money for and on account of said county;

Which bill was read the third time and passed—yeas 68,

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Bell, Betts, Blevins, Bliss, Bonner, Boyd, Brewer, Cashin, Chambers, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Les-

lie, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—68.

Also favorably to the bill—

H. B. 375. To repeal an act, approved January 29, 1875, prohibiting the sale of liquor within three miles of Harmony church ;

Which bill was read the third time and passed—yeas 62, nays 9.

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Bell, Betts, Billups, Bliss, Bonner, Brewer, Baker, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Locke, Maples, Matthews, Nelson, Patterson, Price, Prowell, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—62.

Those who voted nay are—

Messrs. Blevins, Boyd, Edwards, Harris of Dallas, Lewis, Martin, Reese, Wood of Marengo and Wynne—9.

Also, favorably to the bill—

H. B. 376. To repeal an act, approved February 23, 1875, prohibiting the sale of liquors and intoxicating beverages within three miles of Cambridge Camp Grounds, Limestone county ;

Which bill was read the third time and passed—yeas 65, nays 7.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Blevins, Bonner, Boyd, Brewer, Baker, Brantley, Carson, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Leslie, Lewis, Locke, Maples, Martin, Matthews, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Wood of Talladega and Woolf—65.

Those who voted nay are—

Messrs. Edwards, Greene of Lee, Harris of Dallas, Lee, Reese, Reid and Wynne—7.

Also, favorably to the bill—

H. B. 288. To repeal an act to divide Coffee county into four commissioners districts ;

Which bill was read the third time and passed—yeas 73, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Baker, Brantley, Carson, Chambers, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Higgins, Holloway, Huey, Jenkins, Kirkland, Lee, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—73.

Mr. Boyd voted nay.

Also, favorably to the bill—

H. B. 359. To require county claims to be itemized and sworn to, before allowance is made by the court of county commissioners, and to provide for the filing of the same ;

Which bill was read the third time and passed—yeas 78, nays 2.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Carson, Cashin, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, Matthews, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega and Woolf—78.

Those who voted nay are—

Messrs. Gilmer of Montgomery and Lewis—2.

Also, favorably to the bill—

H. B. 356. To make all the general laws now existing, or which may hereafter be enacted, in reference to the several courts of county commissioners in this State, applicable to all other county courts of like jurisdiction ;

Which bill was read the third time and passed—yeas 66, nays 0.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Baker, Carson, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Perry, Heaton, Herman, Higgins, Huey, Kimmey, Kirkland, Leslie, Locke, Maples, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—66.

Also, favorably to the bill—

H. B. 404. To legalize and ratify the settlement and payment of all claims heretofore settled and paid by the present county treasurer of Randolph county ;

Which bill was read the third time and passed—yeas 67, nays 0.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Baker, Brantley, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Locke, Martin, Nelson, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—67.

Also, favorably to the bill—

H. B. 361. To repeal section one of an act in relation to fines and forfeitures fund of Tuscaloosa and other counties, in so far as it applies to Lowndes county ;

Which bill was read the third time and passed—yeas 65, nays 0.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Beirne, Bell,

Betts, Billups, Bonner, Brewer, Baker, Brantley, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Maples, McDuffie, Nelson, Price, Prowell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—65.

Also, favorably to the bill—

H. B. 314. To amend an act approved December 18, 1874, entitled an act to make it lawful for the sheriffs of Marion and other counties therein named, to serve processes issued by justices of the peace, &c.;

Which bill was read the third time and passed—yeas 65, nays 3.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Baker, Cashin, Chambers, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Maples, Martin, Mathews, McDuffie, Nelson, Price, Prowell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—65.

Those who voted nay are—

Messrs. Reese, Reid, and Wynne—3.

Also, favorably to the bill—

H. B. 258. To prevent hunting with dogs or guns upon the premises of Wallace Henry, known as the Rose Place, and the lower part of said lands, owned by A. G. Henry, in Marshall county.

On motion of Mr. Cockrell, the bill was laid on the table.

Also, from same committee, favorably to the bill—

H. B. 94. To authorize the Governor to issue a patent for the north half of section 13, township 12, range 14, to Wiley S. Metcalf of Sanford county;

Which bill was read the third time and passed—yeas 68, nays 1.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Blevins, Bonner, Boyd, Brewer, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Matthews, Nelson, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—68.

Mr. Bennett voted nay.

By leave, Mr. Davis, from the committee on counties and county boundaries, reported favorably to the bill—

H. B. 400. To provide for a vote of the people on the subject of a permanent location of the county site of DeKalb county;

Which bill was read the third time and passed—yeas 70, nays 2.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Bell, Bennett, Betts, Billups, Blevins, Bonner, Boyd, Brewer, Baker, Brantley, Chambers, Clements, Cockrell, Crews, Davis, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, McDuffie, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—70.

Those who voted nay are—

Messrs. Lewis and Mathews—2.

SIGNING BILLS.

The speaker, in the presence of the house and immediately after the title had been publicly read, signed the following senate bills—

S. B. 158. To incorporate the North Alabama Mining and Manufacturing Company.

S. B. 244. To authorize and require the Governor and treasurer to retire and destroy the obligations of this State,

issued under the provisions of an act to provide for the funding of the domestic debt of this State, approved December 19th, 1873, to the extent and in such sums annually as the condition of the treasury will allow without injury to the public interest.

On motion of Mr. Chambers, the house took a recess until 4 p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

By leave, the following bills were introduced :

By Mr. Stallworth—

H. B. 459. To provide for the trials of issues of fact in chancery causes.

By Mr. Prowell—

H. B. 460. To authorize the court of county commissioners of Marengo county to make contracts for the keeping in repair the public roads of said county.

By Mr. Brewer—

H. B. 461. To amend section 6 of an act entitled an act to establish a board of commissioners of roads in the county of Mobile, and to prescribe the duties thereof ;

Which bills were severally read once and ordered to a second reading on to-morrow.

Mr. Stallworth, from the committee on corporations, reported favorably to the bill—

H. B. 265. To incorporate the Alabama State Grange Fair ;

Which bill was read the third time and passed—yeas 49, nays 11.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Bliss, Bonner, Brewer, Baker, Chambers, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Greene of Jefferson, Greene of Lee, Hamilton, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Maples, Mitchell, Nelson, Price, Prowell, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Wharton, Wilson and Woolf—49.

Those who voted nay are—

Messrs. Allen, Blevins, Boyd, Brantley, Gilmer of Montgomery, Harris of Dallas, Lee, Locke, Martin, Matthews and Reese—11.

Also, favorably to the bill—

H. B. 273. To incorporate the volunteer military company in the city of Greenville, and to grant certain privileges ;

Which bill was read the third time and passed—yeas 60, nays 12.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Bonner, Brewer, Baker, Chambers, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Maples, Mitchell, Nelson, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf—60.

Those who voted nay are—

Messrs. Baldwin, Blevins, Bliss, Boyd, Brantley, Cook, Cockrell, Gilmer of Montgomery, Lewis, Matthews, Reese and Reid—12

Also, favorably to the bill—

H. B. 353. To incorporate the Greensboro Guards, a volunteer militia company ;

Which bill was read the third time and passed—yeas 55, nays 15.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Bonner, Brewer, Baker, Chambers, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf—55.

Those who voted nay are—

Messrs. Baldwin, Blevins, Boyd, Brantley, Cook, Cockrell, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Lee, Locke, Martin, Matthews, Reese and Reid—15.

On motion of Mr. Anderson, (Mr. Smith, of Franklin, in the chair,) the special committee on the senate bill to adjust the State debt, was allowed to sit apart from the house this evening.

Mr. Stallworth, from same committee, reported favorably to the bill—

H. B. 398. To amend an act to incorporate the town of Midway, in Bullock county, approved March 6, 1875;

Which bill was read the third time and lost—yeas 24, nays 43.

Those who voted yea are—

Messrs. Baldwin, Bennett, Billups, Blevins, Brantley, Cashin, Cook, Cockrell, Crews, Espy, Gibson, Gilmer of Montgomery, Hamilton, Harris of Dallas, Harris of Perry, Lee, Martin, Matthews, Mitchell, Nelson, Purcell, Stallworth, and Straughn—24.

Those who voted nay are—

Messrs. Andrews, Barron, Betts, Bliss, Bonner, Boyd, Brewer, Baker, Chambers, Davis, Dickson, Dillon, Edwards, Farriss, Franklin, Grant, Greene of Jefferson, Greene of Lee, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Prowell, Reese, Reid, Rice, Smith of Franklin, Stevens, St. John, Stribling, Tate, Troup, Wharton, Wilson, Witherspoon and Wynne—43.

Also, from same committee, favorably to the bill—

H. B. 373. To incorporate the Cherokee Manufacturing Company;

Which bill was read the third time and passed—yeas 71, nays 2.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Bliss, Bonner, Brewer, Baker, Brantley, Cashin, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf—71.

Those who voted nay are—

Messrs. Boyd and Cockrell—2.

Also, from same committee, favorably to the bill—

H. B. 419. To amend sections 2 and 20 of an act to incorporate the town of Gunter'sville, in the county of Marshall, approved December 12, 1871;

Which bill was read the third time and passed—yeas 56, nays 6.

Those who voted yea are—

Messrs. Allen, Andrews, Baldwin, Barron, Bell, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brantley, Cashin, Cook, Crews, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Prowell, Purcell, Rice, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton and Wilson—56.

Those who voted nay are—

Messrs. Blevins, Boyd, Cockrell, Lee, Reese and Wynne—6.

Also, favorably to the bill—

H. B. 433. To repeal an act to incorporate the town of Centerville, in Bibb county, approved January 21, 1832.

Which bill was read the third time and passed—yeas 56 nays 9.

Those who voted yea are—

Messrs. Allen, Andrews, Barron, Bell, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brantley, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Maples, Martin, Mitchell, Nelson, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton and Wilson—56.

Those who voted nay are—

Messrs. Baldwin, Blevins, Boyd, Gilmer of Montgomery, Lee, Lewis, Locke, Matthews and Wynne—9.

Also, favorably to the senate bill—

S. B. 288. To extend the charter of the Prattville Manufacturing Company;

Which bill was read the third time and passed—yeas 52, nays 7.

Those who voted yea are—

Messrs. Andrews, Barron, Bell, Betts, Billups, Blevins, Bonner, Brewer, Baker, Brantley, Cashin, Cook, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Lee, Locke, Maples, Martin, Nelson, Prowell, Reese, Rice, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, and Wilson—52.

Those who voted nay are—

Messrs. Baldwin, Bliss, Cockrell, Gilmer of Montgomery, Lewis, Mathews and Wynne—7.

Also, favorably to the senate bill—

s. B. 326. To incorporate the Gulf Mining Company ;

Which bill was read the third time and passed—yeas 55, nays 0.

Those who voted yea are—

Messrs. Baldwin, Barron, Bell, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Brantley, Cook, Cockrell, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Lee, Locke, Maples, Martin, Mathews, Mitchell, Nelson, Prowell, Purcell, Reese, Rice, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Woolf and Wynne—55.

On motion of Mr. Blevins, the house adjourned until tomorrow morning, 10 o'clock.

FORTY-SIXTH DAY.

SATURDAY, February 19, 1876.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Nelson of the house.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bell, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Carson, Cashin, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling,

Troup, Wharton, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—77.

The journal of yesterday was corrected and approved.

Mr. Cockrell asked and obtained leave to record his vote against the passage of the bill—

To detach Blount county from the 7th congressional district and attach it to the 6th.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Townsend for to-day, on account of sickness; Messrs. Bennett, and Harris of Chambers, on account of pressing business, and Mr. Witherspoon for three days, on account of sickness in his family.

On motion of Mr. Stribling, the regular order of business was suspended to allow the committee on temperance to report the senate bill—

S. B. 178. To amend section one of an act to prevent the sale or otherwise disposing of spirituous, malt or vinous liquors within three miles of McKenzie's church, in Monroe county, and within the beat known as Harrall's Cross Roads, in the county of Dallas, approved March 18, 1875.

Mr. Maples, from said committee, reported favorably to the bill.

Mr. Brantley moved to amend as follows:

In section one, strike out all after the word "Monroe," and insert "and within that portion of the beat known as Harrell's Cross Roads, in the county of Dallas, lying east of the direct road which crosses the Alabama Central rail road at Vernon station, and which is known as the road leading from the Cahaba and Uniontown road to Hamburg;"

On motion of Mr. Stribling, the amendment was laid on the table—yeas 40, nays 33.

Those who voted yea are—

Messrs. Betts, Billups, Bonner, Brewer, Chambers, Clements, Crews, Dickson, Dillon, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Heaton, Herman, Higgins, Huey, Kirkland, Maples, Mitchell, Nelson, Price, Prowell, Rice, Ross, Rousseau Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Tate, Wharton, Witherspoon and Woolf—40.

Those who voted nay are—

Messrs. Allen, Aldridge, Baldwin, Beirne, Blevins, Bliss, Boyd, Baker, Brantley, Carson, Cashin, Cook, Cockrell, Espy, Fagan, Franklin, Gilmer of Montgomery, Harris of Dallas,

Harris of Perry, Holloway, Jenkins, Kimmey, Lee, Lewis, Martin, Mathews, Reese, Reid, Sims, Straughn, Wood of Marengo, Wood of Talladega and Wynne—33.

And bill was read the third time and passed—yeas 67, nays 4.

Those who voted yea are—

Messrs. Aldridge, Baldwin, Beirne, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Carson, Cashin, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Espy, Fagan, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullede, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Witherpoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—67.

Those who voted nay are—

Messrs. Allen, Cockrell, Gilmer of Montgomery, and Mathews—4.

On motion of Mr. Mitchell, the vote by which the senate bill—

s. B. 326. To incorporate the Gulf Mining Company, passed the house on yesterday was reconsidered, as also the vote ordering the bill to a third reading.

The following bills were introduced by leave :

By Mr. Bonner—

H. B. 462. To authorize and require the Auditor of the State to certify to the owners of lands their redemption in certain cases;

By Mr. Ross—

H. B. 463. To authorize the commissioners' court of Tallapoosa county to instruct the tax collectors in said county in which kind of funds the county tax of the county shall be paid;

By Mr. Heaton—

H. B. 464. To amend an act approved February 20, 1875, to amend an act to prescribe the time of holding the circuit courts in the tenth judicial circuit, approved March 14th, 1872;

By Mr. Reese—

H. B. 465. To amend an act to amend section 3706 of the Revised Code;

By Mr. Mitchell, (with evidence of publication of notice, &c.)—

H. B. 466. To authorize the board of revenue to divide Montgomery into election precincts ;

By Mr. Stribling (with evidence of publication of notice, &c.)—

H. B. 467. For the relief of S. F. Ulmer, late tax collector of Choctaw county ;

Which bills were severally read once and ordered to a second reading on to-morrow.

SPECIAL ORDER.

The house next proceeded to the consideration of the special order for this hour, viz., the senate bill—

s. B. 228. To provide for the payment of the expenses of the joint committee of the two houses appointed to investigate the facts relating to the alleged election of George E. Spencer, United States senator ;

The bill was read the third time and passed—yeas 47, nays 19.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barron, Beirne, Betts, Billups, Bliss, Bonner, Baker, Chambers, Clements, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Heaton, Higgins, Holloway, Huey, Kimmey, Kirkland, Lee, Maples, Mitchell, Nelson, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Bullock, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Wharton and Woolf—47.

Those who voted yea are—

Messrs. Baldwin, Blevins, Boyd, Cook, Cockrell, Fagan, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Lewis, Locke, Mathews, Reese, Sims, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—19.

BILLS ON SECOND READING.

The bill—

H. B. 458. To change the boundary line between the counties of Clarke and Monroe ;

Was read the second time and referred to the committee on counties and county boundaries.

The bill—

H. B. 461. To amend section six of an act to establish a board of commissioners of roads in the county of Mobile, and to prescribe the duties thereof;

Was read the second time and referred to the committee on local legislation.

The bill—

H. B. 460. To authorize the court of county commissioners of Marengo county to make contracts for the keeping in repair the public roads of said county;

Was read the second time and referred to the committee on public roads and highways.

The bill—

H. B. 459. To provide for the trial of issues of facts in chancery courts.

And the senate bill—

S. B. 334. Joint resolution requiring the reports of State officers, and other public documents, submitted to the general assembly, to be filed and kept in the office of the secretary of State;

Were severally read the second time and referred to the judiciary committee.

The senate bill—

S. B. 312. To prescribe the time of holding the courts of the eastern chancery division.

Mr. Purcell moved to amend as follows:

Amend section one where it says "at Union Springs on the second Monday in April," by saying "on the first Monday in April;" and where it says "at Eufaula on the first Monday in April," by saying "on the second Monday in April." And insert after the words "county of Henry," and before the word "on" the following: "On the third Monday in April, and;"

Adopted.

Mr. Edwards moved to amend as follows:

"Strike out all after the word "Dale" down to the end of the paragraph, and insert the following: "Commencing on Friday after the third Monday in April and second Monday in October, and continue two days."

Adopted.

On motion of Mr. Purcell, the bill was referred to a select committee of five.

Committee—Messrs. Purcell, Edwards, Crews, Chambers, and Greene of Lee.

The senate bill—

S. B. 164. To compromise the debt of any county in this State whose obligations are worth less than par value;

Was read the second time.

Mr. Mitchell moved to amend by striking out the word "Montgomery" in the eighth section ;

Adopted.

And the bill was referred to the committee on finance.

The senate bill—

s. B. 237. To make it penal to sell or buy any public office created or provided for by the constitution and laws of this State, or any of the fees, perquisites or emoluments thereof ;

Was read the second time and referred to the committee on the judiciary.

The senate bill—

s. B. 298. To amend section two, three and four of an act in relation to fences, the protection of crops and other property in Sumter and Pickens counties, approved February 19, 1867 ;

Was read the second time.

Mr. Billups moved to amend by adding at the end of section four ; "Provided, That the provisions of this act shall not apply to that portion of Pickens county lying east of the Tombigbee River ;"

Adopted.

And the bill was referred to the committee on local legislation.

The senate bill—

s. B. 358. To amend the act to incorporate the city of Tuscaloosa by the addition of sections in reference to slaughter houses ;

Was read the second time and referred to the committee on corporations.

SENATE BILLS ON FIRST READING.

The senate bills—

s. B. 32. To provide for the punishment of persons convicted of crimes in certain cases ;

s. B. 210. To amend section ninety-one of "An act to regulate elections in the State of Alabama, approved March 3, 1875 ;

s. B. 310. To appropriate twenty-five hundred dollars for repairing the capitol, and fencing inclosing the same ;

Were severally read once, and ordered to a second reading on to-morrow.

SIGNING BILL BY THE SPEAKER.

The speaker, in the presence of the house, and immediately after the title had been publicly read, signed the senate bill—

S. B. 226. To authorize the Governor to negotiate temporary loans for the use of the State, as provided in section 3, article x of the constitution.

Mr. Price, from special committee, reported favorably to the bill—

H. B. 454. To carry into effect and to regulate contracts made under section thirty of article four of the constitution of this State;

Which bill was read the third time and passed—yeas 64, nays 0.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barron, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Carson, Cashin, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Lee, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Holloway, Jenkins, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Mathews, Nelson, Price, Prowell, Purcell, Reese, Rice, Ross, Rosseau, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Stribling, Troup, Wharton, Witherspoon, Wood of Marengo, and Woolf—64.

Also, from same committee, favorably to the bill—

H. B. 390. To prescribe the number, duties and compensation of the officers and employees of each house of the general assembly, and the manner of their election, as required by section twenty-eight, article four of the constitution.

Mr. Stribling moved to amend as follows:

“That the assistant secretary of the senate, and the assistant clerk of the house of representatives, shall receive six dollars per day.”

Adopted.

Mr. Woolf moved to amend by adding the following:

“Provided, That the provisions of this act shall not be held to apply to the officers and employees of the present general assembly.”

Adopted.

Mr. Woolf moved to amend as follows: “Provided, that the president of the senate and the speaker of the house shall each receive eight dollars per day.”

Mr. Aldridge moved to amend the amendment by striking out “eight dollars,” and inserting “six dollars;”

Which, on motion of Mr. Blevins, was laid on the table—yeas 41, nays 30.

Those who voted yea are—

Messrs. Speaker, Allen, Andrews, Baldwin, Billups, Blevins, Bonner, Brewer, Baker, Cashin, Chambers, Clements, Crews, Dickson, Dillon, Edwards, Espy, Fagan, Fielder, Gibson, Greene of Lee, Harris of Dallas, Harris of Perry, Higgins, Huey, Kimmey, Kirkland, Locke, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Ross, Rousseau, Shepard, Smith of Bullock, Tate, Witherspoon and Woolf—41.

Those who voted nay are—

Messrs. Aldridge, Beirne, Betts, Bliss, Boyd, Cook, Davis, Farriss, Franklin, Gilmer of Montgomery, Greene of Jefferson, Gullede, Hamilton, Heaton, Holloway, Lee, Lewis, Maples, Martin, Rice, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Troup, Wharton, Wood of Marengo, and Wynne—30.

Mr. Smith of Bullock, moved to amend the amendment by striking out "eight dollars" and inserting "ten dollars;"

Which, on motion of Mr. St. John, was laid on the table.

Mr. Harris of Perry, called for the previous question.

The question being, shall the main question be now put—it was decided in the affirmative.

The vote being taken, first upon the amendment of Mr. Woolf, it was adopted, and the bill was read the third time and passed—yeas 46, nays 24.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Cashin, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Fagan, Fielder, Gibson, Grant, Greene of Lee, Harris of Dallas, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lewis, Locke, Mitchell, Nelson, Price, Prowell, Purcell, Reese, Reid, Ross, Rousseau, Witherspoon and Woolf—46.

Those who voted nay are—

Messrs. Aldridge, Boyd, Baker, Farriss, Franklin, Greene of Jefferson, Gullede, Hamilton, Harris of Perry, Maples, Martin, Mathews, Rice, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Tate, Troup, Wharton, Wood of Marengo, and Wynne—24.

By leave, Mr. Price offered the following resolution, which was adopted:

Resolved, That the thanks of this house are due and they are hereby tendered to Messrs. Fairbanks & Co, for presen-

tation of a beautiful pair of postal scales, of the United States regulation, an article of great convenience, and constantly needed by the members.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 19, 1876.

Mr. Speaker :

The senate has passed the following house bills—

H. B. 81. To repeal an act entitled an act to incorporate the town of Columbiana, in the county of Shelby, approved March 25, 1873.

H. B. 99. To refund money paid for licenses by merchants and dealers, other than commission merchants and brokers, under paragraph 20, of section 102, of an act entitled an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

And has originated and passed the following bills :

s. B. 234. To provide for the public printing of this State.

s. B. 283. To amend the charter of the city of Troy.

s. B. 286. To amend sections 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44 and 88 of an act to regulate elections in the State of Alabama, approved March 3, 1875.

s. B. 378. Joint memorial to the congress of the United States, in relation to opening the Tennessee river to navigation.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
February 19, 1876.

Mr. Speaker :

The Governor has approved the following bills, which originated in the house of representatives :

H. B. 215. An act to amend sections 4363, 4368 and 4369 of the Revised Code, and otherwise regulate coroner's inquests.

H. B. 308. An act to establish a court of county revenues for Dallas county.

Respectfully,

L. R. DAVIS,
Private Secretary.

REPORTS FROM STANDING COMMITTEES.

Mr. Stallworth, from the committee on corporations, reported favorably to the senate bill—

S. B. 130. To incorporate the Centennial University for ladies ;

Which bill was read the third time and passed—yeas 60, nays 2.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Betts, Billups, Bliss, Bonner, Brewer, Baker, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullede, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Nelson, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Troup, Wharton, Witherspoon, Wood of Marengo, and Woolf—60.

Those who voted nay are—

Messrs. Boyd and Mathews—2.

Mr. Betts, from the committee on accounts and claims, reported favorably to the bill—

H. B. 401. For the relief of C. N. Jelks ;

Which bill was read the third time and passed—yeas 34, nays 30.

Those who voted yea are—

Messrs. Speaker, Andrews, Barron, Beirne, Betts, Billups, Brewer, Baker, Dickson, Dillon, Fielder, Gibson, Grant, Greene of Lee, Hamilton, Harris of Perry, Heaton, Higgins, Huey, Kimmey, Kirkland, Lewis, Maples, Mitchell, Nelson, Price, Prowell, Purcell, Rice, Rousseau, Stevens, Stribling, Tate and Woolf—34.

Those who voted nay are—

Messrs. Allen, Aldridge, Baldwin, Blevins, Boyd, Cashin, Cook, Crews, Davis, Fagan, Farriss, Franklin, Greene of Jefferson, Gullede, Harris of Dallas, Lee, Locke, Martin, Mathews, Reese, Reid, Ross, Smith of Franklin, St. John,

Straughn, Troup, Wharton, Wood of Marengo, and Wood of Talladega—30.

Also, from same committee, reported a substitute for the bill—

H. B. 383. For the relief of J. R. Wing and others ;

Which bill was read the third time and passed—yeas 66, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Higgins, Huey, Jenkins, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Matthews, Nelson, Patterson, Price, Prowell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Witherspoon, Wood of Marengo, Wood of Talladega and Woolf—66.

Also, from same committee, reported a substitute for the bill—

H. B. 357. To pay Mrs. Narcissa H. Heidt, administratrix of the estate of E. A. Heidt, deceased, for advertising lands in the county of Perry, in this State, to be sold for taxes.

On motion of Mr. Woolf, the bill was recommitted.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported correctly enrolled the following :

H. B. 100. To abolish the court of county commissioners of Dallas county.

H. B. 308. To establish a court of county revenues for Dallas county.

H. B. 205. To amend sections 4363, 4368 and 4369 of the Revised Code, and otherwise regulate coroners' inquests.

H. B. 347. To fix and regulate the times of holding the circuit court in the counties of St. Clair and Calhoun, at the spring terms of 1876, of said courts.

H. B. 230. To prohibit the sale, or giving away of spirituous liquors within three miles of the Baptist and Presbyterian churches at Pleasant Hill, Dallas county.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after their titles had been publicly read, signed said bills.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
February 19, 1876. }

Mr. Speaker—

The Governor has approved the following bills which originated in the house of representatives:

H. B. 347. An act to fix and regulate the times of holding the circuit court in the counties of St. Clair and Calhoun, at the terms 1876 of said courts.

H. B. 230. An act to prohibit the sale or giving away of spirituous liquors within three miles of the Baptist and Presbyterian churches at Pleasant Hill, Dallas county.

H. B. 100. An act to abolish the court of county commissioners of Dallas county.

Respectfully,

L. R. DAVIS,
Private Sec'y.

By leave, Mr. Clements, from the committee on education, reported favorably, with amendments, to the bill—

H. B. 397. To establish, organize and regulate a system of public instruction for the State of Alabama.

On motion of Mr. Clements, the further consideration of the bill and the report of the committee was postponed, and made the special order for Wednesday next, 11 a. m.

On motion of Mr. Billups, the house adjourned until Monday morning, 10 o'clock.

FORTY-SEVENTH DAY.

MONDAY, February 21, 1876.

The house met pursuant to adjournment.

On the call of the roll, the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Carson, Chambers, Clements, Cook, Cockrell, Davis, Dickson, Dillon, Edwards, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Prowell, Purcell, Rabby, Reese, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wood of Marengo, Wood of Talladega, Woolf and Wynne--71.

The journal of Saturday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Betts for to-day, and to Mr. Ball for five days, on account of sickness.

Also, to Messrs. Espy and Nelson, for three and five days respectively.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following as correctly enrolled:

H. B. 81. To repeal an act to incorporate the town of Columbiana, in the county of Shelby, approved March 25, 1873.

H. B. 99. To refund money paid by licenses by merchants and dealers, other than commission merchants and brokers, under paragraph 20 of section 102 of an act to establish revenue laws for the State of Alabama, approved March 19th, 1875.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills.

Mr. Purcell, from special committee, reported favorably to the senate bill—

s. B. 312. To prescribe the time of holding the courts of the eastern chancery division;

Which bill was read the third time and passed—yeas 66, nay 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldredge, Andrews, Baldwin, Barnett, Barron, Beirne, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Fagan, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Perry, Heaton, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Matthews, Price, Prowell, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John. Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Marengo, Wood of Talladega, Woolf and Wynne—66.

Mr. Sims voted nay.

BILLS ON SECOND READING.

The bill—

H. B. 467. For the relief of F. S. Ulmer, late tax collector of Choctaw county;

Was read the second time and referred to the committee on accounts and claims.

The bill—

H. B. 462. To authorize and require the Auditor of the State to certify to the owners of lands their redemption, in certain cases;

Was read the second time and referred to a special committee of three.

Committee—Messrs. Bonner, Woolf and Betts.

The bill—

H. B. 463. To authorize the commissioners court of Tallapoosa county to instruct the tax collector of said county in what kind of taxes the county tax of the county shall be paid;

Was read the second time and referred to the committee on finance.

The bill—

H. B. 466. To authorize the board of revenue to divide Montgomery county into election precincts ;

Was read the second time and referred to the committee on local legislation.

The bills—

H. B. 465. To amend an act to amend section 3706 of the Revised Code ;

H. B. 464. To amend an act approved February 20, 1875, to amend an act to prescribe the time of holding the circuit courts in the tenth judicial circuit, approved March 14, 1872.

And the senate bill—

S. B. 32. To provide for the punishment of persons convicted of crimes in certain cases ;

Were severally read the second time and referred to the committee on the judiciary.

The senate bill—

S. B. 210. To amend section ninety-one (91) of an act to regulate elections in the State of Alabama, approved March 15th, 1875 ;

Was read the second time and referred to the committee on the judiciary.

The senate bill—

S. B. 310. To appropriate twenty-five hundred dollars for repairing the capitol and fencing inclosing the same ;

Was read the second time and referred to the committee on appropriations.

The senate bills—

S. B. 283. To amend the charter of the city of Troy ;

S. B. 234. To provide for the public printing of this State ;

S. B. 286. To amend sections 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44 and 88 of an act to regulate elections in the State of Alabama, approved 3d March, 1875 ;

Were severally read once and ordered to a second reading on to-morrow.

The senate—

S. B. 378. Joint memorial to the Congress of the United States in relation to opening of the Tennessee River to navigation ;

Was read and adopted.

By leave, Mr. Maples, from the committee on temperance, reported favorably to the bill—

H. B. 48. To amend section 15 of an act to authorize probate judges in the counties of Jackson, &c., to order elections in certain cases to prevent the sale, or giving away, or other-

wise disposing of vinous or spirituous liquors, within certain limits in certain cases.

Mr. Townsend moved to amend by making the provisions of the bill applicable to the county of Limestone;

Adopted.

Mr. Gibson moved to amend by making the provisions of the bill applicable to Lawrence county;

Adopted.

And the bill was read the third time and passed—yeas 65, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Chambers, Cockrell, Crews, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Price, Prowell, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Marengo, Wood of Talladega, Woolf and Wynne—65.

Mr. Mathews voted nay.

Also, by leave, from same committee, reported favorably to the bill—

H. B. 396. To repeal an act to prohibit the sale or otherwise disposing of vinous or spirituous liquors within one and a half miles of the Academy in the town of Wedowee, in Randolph county;

Which bill was read the third time and passed—yeas 59, nays 2.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Barnett, Barron, Beirne, Blevins, Bliss, Bonner, Boyd, Brewer, Chambers, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gulledege, Hamilton, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Townsend, Troup, Wharton, Wood of Talladega, Woolf and Wynne—59.

Those who voted nay are—

Messrs. Greene of Lee, and Matthews—2.

Also, from same committee, favorably to the bill—

H. B. 263. To repeal an act to prohibit the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors, within three miles of the Union church and the public school house in beat 7, Hale county ;

Which bill was read the third time and passed—yeas 54, nays 6.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barnett, Barron, Beirne, Blevins, Bliss, Bonner, Brewer, Baker, Chambers, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullledge, Hamilton, Heaton, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Maples, Martin, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, Townsend, Troup, Wharton, Wood of Marengo, Woolf and Wynne—54.

Those who voted nay are—

Messrs. Billups, Boyd, Cockrell, Greene of Lee, Harris of Perry, and Locke—6.

Mr. Anderson, (Mr. Clements in the chair,) from special committee, reported favorably to the senate bill—

s. B. 302. To ratify and confirm the settlement of the existing indebtedness of this State, as proposed in the report of the commissioners appointed under the act approved December 17, 1874, and which was communicated to the general assembly by message of the governor of the 24th of January, 1876, and to carry said settlement into effect by the issuance of new bonds, at a reduced rate of interest, in adjustment of a portion of said indebtedness, and the surrender of certain securities held by this State in discharge of another portion of said indebtedness.

Which bill was read the third time and passed—yeas 63, nays 13.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Billups, Blevins, Bliss, Bonner, Brewer, Baker, Cashin, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Fagan, Farriss, Fielder, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Dallas, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Locke, Maples, Martin, Mitchell, Price, Prowell, Purcell, Rabby, Reese, Reid, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn,

Stribling, Tate, Townsend, Troup, Wharton, Wood of Talladega, and Woolf—63.

Those who voted nay are—

Messrs. Beirne, Boyd, Cockrell, Franklin, Harris of Perry, Lewis, Matthews, McDuffie, Rice, Sims, Stallworth, Wood of Marengo, and Wynne—13.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 21, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 10. To repeal an act, approved March 30, 1870, to require the county treasurer of Wilcox county to pay the fees of certain officers in certain cases.

H. B. 103. To repeal an act to define and fix the ex-officio fees of sheriff and circuit clerk of the county of Walker.

H. B. 226. To revise and amend an act to keep in each county of the State a proportionate share of the public school money, approved April 19, 1873.

H. B. 355. To ratify and confirm the issue of certain bonds by the county of Mobile.

H. B. 267. To amend sections 604, 606, 607, 610 and 612, and to repeal section 611 of the Revised Code, all relating to the sale of school lands.

H. B. 271. To prohibit the sale of vinous or spirituous liquors within eight miles of the court-house at St. Stephens, in Washington county.

H. B. 156. To repeal an act of the board of education to suspend the sale of 16th section of lands in certain localities, approved December 11, 1874.

H. B. 334. To authorize and require the Secretary of State to deliver to the President of the University of Alabama, certain books therein named ;

And has amended, as therein shown, and passed the house bill—

H. B. 49. To arrange the courts by districts in the southern chancery division.

The senate concurs in the house amendment to the senate joint resolution constituting the select committees of the house and senate a joint committee on the governor's message relative to swamp and overflowed lands, which allows the said committees to send for persons and papers.

And has adopted the house—

H. M. 55. Joint memorial of the general assembly of the State of Alabama to the congress of the United States, relative to the public domain in Alabama.

And has originated and passed the following bills—

S. B. 344. To re-enact an act therein mentioned and set out as “an act to re-enact the laws incorporating the town of Oxford, in Calhoun county, and to give the corporate authorities of said town additional powers.”

S. B. 232. To amend subdivision six of section 680 of the Revised Code.

S. B. 271. To regulate the hiring of convicts by the warden of the penitentiary.

S. B. 333. Joint resolution to authorize the auditor to draw his warrant on the treasurer to pay the expenses of joint committee to visit the penitentiary.

S. B. 30. To repeal an act entitled an act to compel the courts of county commissioners to carry into effect the provisions of chapter 3, part 4, title 2, of the Revised Code, providing for hard labor for the county, approved March 8, 1875.

S. B. 263. To repeal “an act to allow the court of county commissioners of Wilcox county to levy a tax greater than fifty per cent.,” approved October 10, 1868.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary Mr. Davis :

EXECUTIVE DEPARTMENT,

February 21, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the house of representatives :

H. B. 99. An act to refund money paid for licenses by merchants and dealers, other than commission merchants and brokers, under paragraph 20 of section 102 of an act entitled an act to establish revenue laws for the State of Alabama, approved March 19, 1875.

H. B. 81. An act to repeal an act entitled an act to incor-

porate the town of Columbiana, in the county of Shelby, approved March 25, 1873.

Respectfully,

L. R. DAVIS,
Private Secretary.

Mr. Chambers offered the following resolution, which, under the rules of the house, lies over one day:

Resolved, That the chairmen of the several standing committees of the house be and they are hereby constituted a special committee, and instructed to report to the house the important bills in their hands, and that the bills so reported shall have precedence of all special and general orders until they have been disposed of.

SPECIAL ORDER.

The hour of 12 o'clock having arrived, the house proceeded to the consideration of the special order for this hour, viz., the senate bill—

S. B. 326. To incorporate the Gulf Mining Company.

Mr. Anderson, (Mr. Clements in the chair,) moved to recommit the bill, with leave to report at pleasure.

Lost. And the bill was read the third time and passed—yeas 54, nays 15.

Those who voted yea are—

Messrs. Andrews, Baldwin, Barnett, Barron, Beirne, Bilups, Blevins, Bliss, Bonner, Boyd, Brewer, Chambers, Clements, Cook, Crews, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Lee, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Kimmey, Leslie, Locke, Martin, Mathews, Price, Prowell, Purcell, Rabbit, Reese, Reid, Rice, Ross, Rousseau, Sims, Stallworth, Stevens, Straughn, Stribling, Tate, Troup, Wood of Talladega, Woolf and Wynne—54.

Those who voted nay are—

Messrs. Speaker, Aldridge, Baker, Cashin, Cockrell, Davis, Greene of Jefferson, Lewis, Maples, Mitchell, Shepard, Smith of Franklin, St. John, Wharton and Wood of Marengo—15.

Mr. Cockrell moved to adjourn until to-morrow morning, 10 o'clock. Lost—yeas 28, nays 41.

Those who voted yea are—

Messrs. Allen, Baldwin, Barron, Blevins, Bonner, Boyd,

Baker, Cashin, Cook, Cockrell, Fagan, Harris of Dallas, Harris of Perry, Leslie, Lewis, Locke, Martin, Matthews, McDuffie, Mitchell, Prowell, Reese, Reid, Shepard, Stribling, Tate, Wood of Marengo, and Wynne—28.

Those who voted nay are—

Messrs. Speaker, Aldridge, Barnett, Beirne, Billups, Bliss, Brewer, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Heaton, Holloway, Huey, Jenkins, Kirkland, Price, Purcell, Rabby, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Troup, Wharton, Wood of Talladega and Woolf—41.

O motion of Mr. Woolf, the house took a recess until four, p. m.—yeas 46, nays 25.

Those who voted yea are—

Messrs. Allen, Aldridge, Barnett, Beirne, Billups, Bonner, Brewer, Cashin, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Fagan, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Heaton, Higgins, Holloway, Huey, Jenkins, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Troup, Wharton and Woolf—46.

Those who voted nay are—

Messrs. Andrews, Baldwin, Blevins, Bliss, Boyd, Baker, Cockrell, Farriss, Fielder, Franklin, Harris of Dallas, Harris of Perry, Kimmey, Lewis, Locke, Martin, Matthews, McDuffie, Reese, Reid Shepard, Stribling, Tate, Wood of Marengo and Wynne—25.

AFTERNOON SESSION.

The house met pursuant to adjournment.

By leave, Mr. Bierne, from the committee on the judiciary, reported favorably, with amendments, to the senate bill—

s. B. 194. To establish a court of quarter sessions for Perry county.

The amendments are as follows :

Amend section two by inserting the word "ex officio" in second line, between the words "be" and "the."

Amend section three by inserting in fifth line, after the word "November," the following, to-wit: "And may continue not exceeding four weeks at the August and November terms of

said court, and not exceeding three weeks at the February and May terms of said court."

Amend section nine by adding thereto the following provisos, to-wit: "Provided, That the grand jurors drawn for the November terms of said court shall be selected from such persons, residing in Uniontown beat, as are or may be qualified to serve as grand jurors. But all persons residing in said beat, subject to jury duty, shall be exempt from service as grand jurors at the term of said court held at Marion; And provided further, That for the trial of any person or persons charged with a capital offense, the court must make an order, commanding the sheriff to summon not more than fifty persons, possessing the necessary qualifications, to serve as jurors for the trial of such defendant or defendants, and a copy of the indictment and a list of the jurors so summoned for said trial must be delivered to such defendant, if in actual confinement, one entire day before the day appointed for the trial, and if not in actual custody, and has counsel, whose names are so entered on the docket, such counsel must, on application, be furnished with a copy of the indictment and a list of the jurors."

Amend section eleven. Strike out all after section eleven, down to and including the word "called" in the fourth line, and insert the following, to-wit: "Be it further enacted, That the criminal cases pending in said court shall be taken up on Monday of the second week of the court, and the civil docket shall not be again regularly taken up until all criminal cases are disposed of, except one or more civil cases may be taken up, if the same can be disposed of without materially delaying the business on the criminal docket."

Amend section four by striking out "fifteen hundred," and inserting "two thousand."

The amendments were adopted—yeas 40, nays 16.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Beirne, Billups, Bonner, Brewer, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Higgins, Holloway, Huey, Kirkland, Leslie, Maples, Price, Prowell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Troup, Wharton and Woolf—40.

Those who voted nay are—

Messrs. Allen, Baldwin, Blevins, Boyd, Cockrell, Fagan, Harris of Dallas, Harris of Perry, Jenkins, Lewis, Locke,

Martin, Reese, Wood of Marengo, Wood of Talladega and Wynne—16.

Mr. Harris of Perry moved to amend, by way of substitute for section four, as follows:

Be it further enacted, That the judge of said court shall be elected by the qualified voters of the county, and shall hold his office for the term of six years, and until his successor is duly elected and qualified; and shall receive as a salary the sum of twelve hundred dollars, to be paid quarterly out of the State treasury.

On motion of Mr. Smith of Franklin, the amendment was laid on the table—yeas 45, nays 13.

Those who voted yea are—

Messrs. Speaker, Barnett, Beirne, Billups, Bonner, Brewer, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Franklin, Gibson, Grant, Greene of J., Greene of L., Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Maples, Price, Prowell, Reese, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Troup, Wharton and Wilson—45.

Those who voted nay are—

Messrs. Aldridge, Baldwin, Blevins, Boyd, Cockrell, Fagan, Harris of Dallas, Harris of Perry, Lewis, Locke, Martin, Wood of Marengo and Wood of Talladega—13.

Mr. Reid moved to lay the bill on the table. Lost.

Mr. Barnett called for the previous question, and the call was sustained by a two-thirds vote of the house, and the bill was read the third time and passed—

Yeas 45, nays 16.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Beirne, Billups, Bonner, Brewer, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Troup, Wharton and Woolf—45.

Those who voted nay are—

Messrs. Allen, Baldwin, Blevins, Boyd, Cook, Fagan, Harris of Dallas, Harris of Perry, Jenkins, Lewis, Locke, Martin, Reese, Wood of Marengo, Wood of Talladega, and Wynne—16.

Mr. Beirne moved to reconsider the vote by which the bill passed, and to lay that motion on the table. Carried.

Mr. Grant asked, and obtained leave, to record his vote in favor of the passage of the senate bill—

S. B. 302. To ratify and confirm the settlement made by the commissioners on the State debt, &c.

By leave, Mr. Maples, from the committee on temperance, reported a substitute for the bill—

H. B. 184. To regulate the sale of spirituous or vinous liquors in Alabama.

The substitute being entitled—

An act to regulate the sale of spirituous, vinous or malt liquors outside of the limits of incorporated cities, towns and villages in this State;

Mr. Blevins moved to lay the substitute on the table. Lost.

Mr. Reese moved to amend the substitute by striking out the words "land owners and renters," in section 2, and inserting "qualified voters."

On motion of Mr. Beirne, the further consideration of the substitute was postponed, and made the special order for Wednesday next, 2 p. m.

Mr. Greene of Lee, from the committee on fees and salaries, reported favorably to the senate bill.

S. B. 119. To amend sections 109 of the Revised Code;

Which bill was read the third time and passed—yeas 46, nays 11.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Beirne, Billups, Bonner, Brewer, Baker, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Maples, Mitchell, Price, Prowell, Rabby, Rice, Ross, Rousseau, Smith of Franklin, Stevens, Straughn, Troup, Wharton, Wood of Marengo, Wood of Talladega, and Woolf—46.

Those who voted nay are—

Messrs. Allen, Baldwin, Blevins, Boyd, Cockrell, Fagan, Harris of Perry, Locke, Martin, Reese and Wynne—11.

Also, favorably to the bill—

H. B. 65. To repeal an act to increase the pay of jurors in Barbour county;

Which bill was read the third time and passed—yeas 45, nays 14.

Those who voted in the affirmative—

Messrs. Speaker, Aldridge, Barnett, Beirne, Billups, Bonner, Brewer, Baker, Chambers, Clements, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Forsyth, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Johnston, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Matthews, McDuffie, Mitchell, Nelson, Patterson, Price, Prowell, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—80.

Those who voted nay are—

Messrs. Allen, Baldwin, Blevins, Boyd, Cook, Cockrell, Fagan, Harris of Perry, Lewis, Locke, Martin, Reese, Wood of Marengo, and Wynne—14.

Also favorably, with amendment, to the bill—

H. B. 234. To regulate the collection and disbursement of the fine and forfeiture fund.

Amend by additional section, as section 4;

The amendment was adopted, and the bill was read the third time and passed—yeas 42, nays 11.

Those who voted yea are—

Messrs. Aldridge, Barnett, Beirne, Billups, Blevins, Bonner, Brewer, Baker, Chambers, Clements, Davis, Dickson, Dillon, Edwards, Farriss, Greene of Jefferson, Greene of Lee, Hamilton, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Lewis, Maples, Mitchell, Price, Prowell, Rabby, Rice, Ross, Rousseau, Smith of Franklin, Stevens, Straughn, Troup, Wharton, Wood of Marengo, Wood of Talladega, and Woolf—42.

Those who voted nay are—

Messrs. Boyd, Cook, Cockrell, Franklin, Grant, Harris of Dallas, Harris of Perry, Lewis, Locke, Reese and St. John—11.

On motion of Mr. Harris of Dallas, the house adjourned until to-morrow morning, 10 o'clock.

FORTY-EIGHTH DAY.

TUESDAY, February 22, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Price, Prowell, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Troup, Wharton, Wood of Marengo, Woolf and Wynne—76.

The journal of yesterday was read, corrected and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

February 22, 1876.

Mr. Speaker :

The senate has amended, as therein shown, and passed house bill—

H. B. 270. To provide for the impeachment and removal from office of the officers mentioned in sections 2 and 3, article vii, of the constitution of Alabama.

Respectfully,

S. B. BREWER,

Sec'y of Senate.

By leave, Mr. Harris of Perry offered the following resolution :

Whereas, this being the first centennial year of our national existence, and this being the birth day of our great military chieftain and statesman, George Washington, and by a recent act of congress been declared a legal holiday—

Resolved, That in respect to the memory of the greatest man in our national history, who has won the title of "Father of his Country," and in obedience to the recent act of congress, declaring this day a legal holiday, this house now adjourn until to-morrow morning, 10 o'clock.

On motion of Mr. Wood of Talladega, the resolution was referred to the committee on federal relations—

Yeas 47, nays 28.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barron, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Clements, Crews, Dillon, Edwards, Fielder, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Maples, Price, Prowell, Purcell, Rabby, Ross, Rousseau, Shepard, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Straughn, Tate, Troup, Wharton and Wood of Talladega—47.

Those who voted nay are—

Messrs. Aldridge, Beirne, Billups, Blevins, Bliss, Brantley, Cashin, Cockrell, Davis, Dickson, Fagan, Franklin, Harris of Dallas, Harris of Perry, Lee, Locke, Martin, Matthews, Mitchell, Reese, Reid, Rice, Sims, St. John, Stribling, Wood of Marengo, Woolf and Wynne—28.

Mr. Smith of Bullock moved to reconsider the vote referring the resolution to the committee on federal relations;

Which, on motion of Mr. Blevins, was laid on the table.

Messrs. Brown, Jones of Russell, and Harris of Chambers, asked, and obtained leave, to record their votes in favor of the passage of the bill—

S. B. 302. To ratify and confirm the settlement of the commissioners on the State debt, &c.

LEAVE OF ABSENCE.

Leave of absence was granted Messrs. Townsend, and Gilmer of Montgomery, for two and three days, respectively, on account of sickness.

Mr. Bonner, from special committee, reported a substitute for the bill—

H. B. 462. To authorize and require the Auditor of the

State to certify to the owners of lands their redemption in certain cases.

The substitute being entitled—

An act to define the duty of the Auditor of the State in relation to lands sold for taxes and purchased by the State.

The substitute was adopted,

And the bill was read the third time and passed—yeas 54, nays 8.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Beirne, Betts, Bonner, Bozeman, Brewer, Baker, Brantley, Brown, Crews, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Mathews, Mitchell, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Stribling, Tate, Troup, Wharton, Wood of Marengo, Wood of Talladega, and Woolf—54.

Those who voted nay are—

Messrs. Blevins, Boyd, Cook, Cockrell, Harris of Perry, Lewis, Reese, and Wynne—8.

Mr. Tate, from special committee, reported favorably to the bill (with amendments)—

H. B. 415. To authorize the incorporation of railroad companies in this State.

The amendments are as follows :

1st. Add at the end of section three the following : "And, also, by posting written notices at the court house door of such county."

2d. Strike out the word "or," in line three ; also, strike out the word "and," where it first occurs in said line, and insert, in lieu thereof, the word "or."

3d. Strike out the words "in value of such subscribers," in line four, section five, and insert, in lieu thereof, "of stock so subscribed."

4th. Strike out the word "also," in line nine, section five, and insert, in lieu thereof, the words, "such person as they may see fit."

5th. Strike out the word "organized," in line three, section six, and insert, in lieu thereof, the words "constituted a body corporate."

6th. Strike out the word "lists," in line four, section seven, and insert, in lieu thereof, the word "books."

7th. Insert between the words "county" and "of," in line

twenty-four, section twelve, the words "and by forwarding to the postoffice of said party notice."

8th. Insert between the words "award" and "who," in line three, section thirteen, the following: "Possessing the qualifications prescribed by law for jurors; also, by striking out from the word "to-wit," in line five, down to and including the word "God," in line ten, and inserting, in lieu thereof, the following: "You, and each of you, do solemnly swear or affirm, (as the case may be) that you will well and truly try the case now pending and submitted to your decision, between the president and directors of the ——— railroad company, complainant, and A. B., defendant, and that you are neither directly or indirectly interested in the issue to be tried, and that you have no bias or prejudice resting on your mind for or against either of the parties, and that you will render such compensation to the defendant as to you shall seem just and proper in the premises, so help you God."

9th. Strike out the word "operate," in line 28 of section 13; also, strike out the words "along and," in said line and section, and insert the words "and improvements"; also, insert between the words "railroad" and "shall," in line 37, the words "and making said improvements"; also, insert between the words "deficit" and "but," in line 42, the following: "for which execution shall issue in favor of defendants." Also, add at the end of the section, the following: "Provided, That for services rendered in any proceedings under this section, the fees usually allowed in civil proceedings shall be allowed the probate judge, sheriff, commissioners of award, and witnesses."

10. Insert between the words "award" and "as," in line 6, section 14, the words "and costs."

11th. Insert between the words "judicial" and "sale," in line 5, section 16, the words "or other."

12th. Strike out the word "five," in line 2, section 17, and insert the word "six;" also, strike out the words "stockholders in value," in line 3 of said section, and insert the word "stock."

13th. Insert the word "or," between the words "mortgage" and "deed," in lines 5 and 6, section 18.

14th. Between words "stockholders" and "each," in line 3, section 19, insert the following: "a majority of the stock shall be represented, to constitute a quorum for the transaction of business."

15th. Strike out the word "fourth," in line 1, section 20, and insert the word "fifth;" also, the word "eleventh," in

line 2, and insert the word "nineteenth;" also, strike out the word "pleasure," in line 4, and insert the words "their discretion;" also, insert between the words "directors" and "elected," in line 6, the words "and officers."

16th. Amend by substitute for section 22.

The amendments were severally adopted, and the bill read the third time and passed—yeas 61, nays 3.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Carson, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullede, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Locke, Martin, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wood of Talladega, and Woolf—61.

Those who voted nay are—

Messrs. Brantley, Cockrell and Wynne—3.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported as correctly enrolled the following bills, viz:

H. B. 226. To amend an act entitled an act to revise and amend an act to keep in each county of the State a proportionate share of the public school money, approved April 19, 1873.

H. B. 103. To repeal an act entitled an act to define and fix the ex-officio fees of the sheriff and circuit clerk of the county of Walker.

H. B. 355. To ratify and confirm the issue of certain bonds by the county of Mobile.

H. B. 156. To repeal an act of the board of education to suspend the sale of sixteenth sections of land in certain localities, approved December 11, 1874.

H. B. 10. To repeal an act, approved March 30, 1870, to require the county treasurer of Wilcox county to pay the fees of certain officers in certain cases.

H. B. 271. To prohibit the sale of vinous or spirituous liquors within eight miles of the court-house at St. Stephens, in Washington county.

H. B. 55. Joint memorial of the general assembly of the State of Alabama, to the congress of the United States, relative to the public domain in Alabama.

H. B. 334. To authorize and require the Secretary of State to deliver to the President of the University of Alabama certain books therein named.

H. B. 267. To amend sections 604, 606, 607, 610 and 612, and to repeal section 611 of the Revised Code, all relating to the sale of school lands.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills.

Also, the following senate bills :

S. B. 288. To extend the charter of the Prattville Manufacturing Company.

S. B. 228. To provide for the payment of the expenses of the joint committee of the two houses appointed to investigate the facts relating to the alleged election of George E. Spencer as United States Senator.

S. B. 178. To amend section one of an act to prevent the sale or otherwise disposing of spirituous, malt or vinous liquors within three miles of McKenzie's church, in Monroe county, and within the beat known as Harrall's Cross Roads, in the county of Dallas, approved March 18, 1875.

S. B. 130. To incorporate the Centennial University for Ladies.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

February 22, 1876.

Mr. Speaker :

The senate has originated and passed the following bills :

S. B. 128. To provide for the transfer of causes in the chancery courts, in certain cases.

S. B. 46. To regulate the purchase of stationery and other material for the use of county officers in this State.

S. B. 152. To provide for the payment of proper compensation to the counsel employed by the Governor to enforce the collection of taxes on the capital stock of national banks.

And has concurred in the house amendments to the senate bill—

S. B. 194. To establish a court of quarter sessions for Perry county;

And ordered that the house be notified thereof forthwith.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

SIGNING BILL.

The speaker, in the presence of the house and immediately after the title had been publicly read, signed the senate bill—

S. B. 194. To establish a court of quarter sessions for Perry county.

BILLS ON SECOND READING.

The senate bill—

S. B. 286. To amend sections 1, 2, 3, 4, 5, 6, 7, 8, 19, 30, 31, 34, 41, 44 and 88 of an act to regulate elections in the State of Alabama, approved 3d March, 1875;

Was read the second time and referred to the committee on the new constitution.

The senate bill—

S. B. 283. To amend the charter of the city of Troy;

Was read the second time and referred to the committee on corporations.

The senate bill—

S. B. 234. To provide for the public printing of this State;

Was read the second time and referred to the committee on public printing.

The house next proceeded to the consideration of resolution offered by Mr. Chambers on yesterday, constituting the chairmen of the standing committees of the house, for the purpose therein mentioned, a special committee.

The resolution was adopted.

REPORTS FROM STANDING COMMITTEES.

Mr. Greene of Lee, from the committee on fees and salaries, reported favorably to the bill—

H. B. 432. To repeal an act to increase the per diem of the county commissioners of the counties of Henry, Barbour, Wilcox and Washington, approved March 14, 1873, so far as the same relates to the county of Henry.

Which bill was read the third time and passed—yeas 52, nays 15.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Bozeman, Brewer, Baker, Brantley, Brown, Clements, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Holloway, Jenkins, Kimmey, Kirkland, Leslie, Maples, Mitchell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Wharton, Wood of Marengo, Wood of Talladega and Woolf—52.

Those who voted nay are—

Messrs. Allen, Blevins, Bliss, Boyd, Cook, Cockrell, Fagan, Harris of Dallas, Harris of Perry, Lee, Locke, Reese Reid, Sims and Wynne—15.

Also, from same committee, favorably to the bill—

H. B. 431. To repeal the act to increase and regulate the pay of jurors and witnesses in the county of Henry, approved February 17, 1871;

Which bill was read the third time and passed—yeas 54, nays 13.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Bozeman, Brewer, Baker, Brown, Carson, Clements, Crews, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Holloway, Jenkins, Kimmey, Leslie, Maples, Mitchell, Price, Purcell, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wood of Marengo, Wood of Talladega and Woolf—54.

Those who voted nay are—

Messrs. Blevins, Bliss, Boyd, Brantley, Cashin, Fagan, Harris of Dallas, Harris of Perry, Lee, Lewis, Reese, Reid and Wynne—13.

Also, favorably to the bill—

H. B. 231. To provide for the fees of circuit clerks in certain cases;

Which bill was read the third time and passed—yeas 49, nays 19.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Baldwin, Barnett, Bar-

ron, Beirne, Betts, Billups, Bonner, Bozeman, Brewer, Baker, Brown, Clements, Crews, Davis, Dickson, Dillon, Edwards, Fielder, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Leslie, Maples, Mitchell, Price, Rabby, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Troup, Wharton, Wood of Marengo, Wood of Talladega, and Woolf—49.

Those who voted nay are—

Messrs. Blevins, Bliss, Boyd, Brantley, Cashin, Cook, Cockrell, Franklin, Harris of Dallas, Harris of Perry, Kimmey, Lee, Lewis, Locke, Martin, Reese, Reid, Tate and Wynne—19.

Also, favorably to the bill—

H. B. 266. To alter and regulate the distribution of the fine and forfeiture fund of Montgomery county.

Mr. Jenkins moved to amend by adding the following :

"Provided, That the provisions of this act shall also apply to Wilcox county." Adopted.

Mr. Mitchell moved to amend by adding after the word "said," in section —, the word "described." Adopted.

Mr. Cashin moved to amend by adding after the word "sheriffs," the words "and witnesses." Adopted.

The bill was read the third time and passed—yeas 67, nays 3.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Leslie, Locke, Maples, Mitchell, Price, Prowell, Purcell, Rabby, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wood of Marengo, and Wood of Talladega—67.

Those who voted nay are—

Messrs. Cockrell, Lewis and Reese—3.

The title was amended to correspond.

Mr. Cook moved to reconsider the vote by which the bill passed, and to lay that motion on the table. Carried.

Mr. Greene of Lee, from said committee, reported favorably to the bill—

H. B. 449. To regulate the fine and forfeiture fund of Montgomery county;

Which bill was read the third time and passed—yeas 55, nays 6.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brown, Clements, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Perry, Heaton, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Mitchell, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Troup, Wharton, Wood of Marengo, Wood of Talladega, and Woolf—55.

Those who voted nay are—

Messrs. Blevins, Boyd, Cockrell, Harris of Dallas, Lewis and Martin—6.

The special order for 1 p. m. to-day, viz., the bill—

H. B. 444½. To provide for the payment of the interest on the public debt;

Was postponed and made the special order for Thursday next, 1 p. m.

By leave, bills were introduced:

By Mr. Troup—

H. B. 468. To organize the militia of Alabama;

By Mr. Mr. Dickson—

H. B. 469. To transfer certain school furniture to the State Normal School at Florence;

Were severally read once and ordered to a second reading on to-morrow.

Mr. Greene of Lee, from the committee on fees and salaries, reported favorably, with amendments, to the bill—

H. B. 319. In relation to the fees of jurors and bailiffs, in the different counties in this State.

Amend by adding to section 1 the following: "Such jurors shall receive such mileage and ferriage as may be allowed by said boards of revenue and court of county commissioners.

Amend by additional section, as section 2;

The amendments were adopted and the bill read the third time and passed—yeas 55, nays 12.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cook, Crews, Dickson, Dillon, Edwards, Far-

riss, Fielder, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Kimmey, Kirkland, Leslie, Locke, Maples, Mitchell, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wood of Marengo, and Woolf—55.

Those who voted nay are—

Messrs. Boyd, Cashin, Cockrell, Fagan, Franklin, Gullledge, Harris of Dallas, Harris of Perry, Lewis, Martin, Reese and Reid—12.

Mr. Betts, from the committee on accounts and claims, reported back to the house the bills :

H. B. 467. For the relief of S. F. Ulmer, late tax collector of Choctaw county ;

H. B. 357. To pay Mrs. Narcissa H. Heidt, administratrix of the estate of E. A. Heidt, deceased, for advertising lands in the county of Perry, in this State, to be sold for taxes ;

And asked that they be referred to the committee on ways and means. They were so referred.

By leave, Mr. Heaton introduced a bill—

H. B. 470. To authorize the tax collector of Randolph county to advertise his tax sales by posting written notices, etc. ;

Which bill was read once and ordered to a second reading on to-morrow.

Mr. Bonner, from the committee on public roads and highways, reported favorably to the bill—

H. B. 460. To authorize and require the court of county commissioners of Marengo county, to make contracts for the keeping in repair the public roads of said county.

Mr. Woolf moved to amend by making the provisions of the bill apply also to Greene county.

Mr. Woolf asked leave to withdraw the amendment. Mr. Cockrell objected, and the question of granting leave to withdraw being put, it was carried.

Mr. Reid moved to lay the bill on the table. Lost—yeas 17, nays 53.

Those who voted yea are—

Messrs. Allen, Baldwin, Blevins, Bliss, Boyd, Cashin, Cook, Cockrell, Fagan, Harris of Dallas, Harris of Perry, Lewis, Locke, Martin, Mathews, Reese and Reid—17.

Those who voted nay are—

Messrs. Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews,

Davis, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Troup, Wharton, Wood of Marengo, Wood of Talladega, and Woolf—53.

Mr. Cockrell moved to amend by adding the following: "Provided, That each hand shall have equal compensation with the contractor;"

Which, on motion of Mr. Woolf, was laid on the table.

Mr. Lewis moved to indefinitely postpone the further consideration of the bill.

Mr. Barnett called for the previous question.

The main question was ordered by a two-thirds vote of the house;

And the bill was read the third time and passed—yeas 50, nays 19.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Bonner, Bozeman, Brown, Chambers, Clements, Davis, Dillon, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Martin, Mitchell, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton and Woolf—50.

Those who voted nay are—

Messrs. Allen, Baldwin, Blevins, Bliss, Boyd, Cashin, Cockrell, Fagan, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Reese, Reid, Smith of Bullock, and Wynne—19.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
February 22, 1876. }

Mr. Speaker—

The Governor has approved the following bills which originated in the house of representatives:

H. B. 156. An act to repeal an act of the board of education to suspend the sale of sixteenth sections of land in certain localities, approved December 11, 1874.

H. B. 271. An act to prohibit the sale of vinous or spirituous liquors within eight miles of the court house at St. Stephens, in Washington county.

H. B. 355. An act to ratify and confirm the issue of certain bonds by the county of Mobile.

H. B. 10. An act to repeal an act approved March 30, 1870, to require the county treasurer of Wilcox county to pay the fees of certain offices in certain cases.

H. B. 267. An act to amend sections 604, 606, 607, 610 and 612, and to repeal sections 611 of the Revised Code, all relating to the sale of school lands.

H. B. 334. An act to authorize and require the secretary of State to deliver to the president of the University of Alabama certain books therein named.

H. B. 103. An act to repeal an act entitled an act to define and fix the *ex-officio* fees of the sheriff and circuit clerk of the county of Walker.

Respectfully,

L. R. DAVIS,
Private Sec'y.

Mr. Smith of Bullock moved to adjourn until to-morrow morning 10 o'clock ;

Lost—yeas 23, nays 38.

Those who voted yea are—

Messrs. Baldwin, Barron, Beirne, Betts, Boyd, Baker, Brown, Cook, Edwards, Fagan, Franklin, Gullledge, Harris of Perry, Jones of Russell, Lewis, Martin, Mathews, Prowell, Rice, Smith of Bullock, Stribling, Tate and Wynne—23.

Those who voted nay are—

Messrs. Allen, Aldridge, Andrews, Barnett, Blevins, Bliss, Bonner, Bozeman, Cashin, Chambers, Clements, Cockrell, Dillon, Farriss, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Dallas, Heaton, Higgins, Holloway, Huey, Kimmey, Kinkland, Leslie, Locke, Maples, Purcell, Reid, Ross, Smith of Franklin, Stallworth, St. John, Straughn, Troup, Wharton and Woolf—38.

On motion of Mr. Chambers, the house took a recess until 4 p. m.

AFTERNOON SESSION.

House met pursuant to adjournment.

SIGNING BILL.

The speaker, in the presence of the house, and immediately after the title had been publicly read, signed the senate bill—
s. B. 326. To incorporate the Gulf Mining Company.

REPORTS FROM STANDING COMMITTEES.

Mr. Davis, from the committee on counties and county boundaries, reported adversely to the following bills:

H. B. 278. To annex a portion of Blount county to the county of Jefferson.

H. B. 458. To change the county line between the counties of Clarke and Monroe.

H. B. 372. To change the boundary line between Calhoun and Cleburne counties.

H. B. 304. To make Solomon H. Bean, a citizen of Cleburne county, a citizen of Calhoun county.

H. B. 294. To change the boundary line between the counties of Jefferson and Shelby, so as to annex a portion of Shelby to Jefferson county;

Which were severally concurred in.

Also, from same committee, reported favorably to the bill—

H. B. 306. To change and define the line between the counties of DeKalb and Cherokee.

On motion of Mr. Greene of Jefferson, the further consideration of the bill was postponed, and made the special order for Saturday next, 12 m.

Mr. Mitchell, from the committee on the State capitol, reported favorably to the bill—

H. B. 244. To repeal all acts authorizing and requiring the capitol to be insured;

Which bill was read the third time and lost—yeas 22, nays 46.

Those who voted yea are—

Messrs. Barron, Betts, Dillon, Franklin, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Jones of Russell, Maples, Mitchell, Price, Rice, Rousseau,

Sims, Smith of Franklin, Stevens, St. John, Straughn, Troup and Wharton—22.

Those who voted nay are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Barnett, Billups, Blevins, Bliss, Bonner Brewer, Brown, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Edwards, Farriss, Fielder, Gibson, Greene of Jefferson, Gulledge, Herman, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Martin, Prowell, Purcell, Rabby, Reese, Ross, Smith of Bullock, Stallworth, Tate, Wood of Marengo, Wood of Talladega, and Woolf—46.

Mr. Tate, from the committee on agriculture and commerce, reported a substitute for the bill—

H. B. 313. To prevent the destruction of deer, birds and fish in the State of Alabama.

On motion of Mr. Straughn, the bill and substitute were laid on the table.

Also, from same committee, reported favorably to the senate bill—

S. B. 212. To define the duties of owners of partition fences;

Which bill was read the third time and passed—yeas 53, nays 6.

Those who voted yea are—

Messrs. Aldridge, Barnett, Beirne, Betts, Billups, Bliss, Bonner, Brewer, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Locke, Maples, Matthews, Mitchell, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wood of Marengo, and Woolf—53.

Those who voted nay are—

Messrs. Boyd, Brown, Gulledge, Herman, Lewis and Martin—6.

Mr. Maples, from the committee on temperance, reported favorably to the bill—

H. B. 329. To repeal an act to prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors within three miles of Locust Grove Baptist church, in Madison county;

Which bill was read the third time and passed—yeas 59, nays 8.

Those who voted yea are—

Messrs. Allen, Aldridge, Barnett, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Brown, Cashin, Cook, Crews, Davis, Dickson, Dillon, Edwards, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Martin, Matthews, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wood of Marengo, and Woolf—59.

Those who voted nay are—

Messrs. Boyd, Baker, Cockrell, Lee, Lewis, Reese, Reid and Smith of Bullock—8.

Also, favorably to the bill—

H. B. 406. To repeal so much of the act to prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or other intoxicating beverages, within two and a half miles of the Pierce coal mines, in section 12, township 14, range 3, west; and also within two and a half miles of New Castle Coal Mines, in Jefferson county, approved December 17, 1873, as relates to Pierce Coal Mines:

Which bill was read the third time and passed—yeas 53, nays 11.

Those who voted nay are—

Messrs. Allen, Aldridge, Baldwin, Barnett, Beirne, Betts, Billups, Bonner, Brewer, Brown, Cashin, Crews, Davis, Dickson, Dillon, Fagan, Farriss, Fielder, Franklin, Gibson, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Herman, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Martin, Matthews, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Tate, Troup, Wharton, Wood of Marengo, and Woolf—53.

Those who voted nay are—

Messrs. Boyd, Baker, Cook, Cockrell, Edwards, Lee, Lewis, Reese, Reid, Smith of Bullock, and Harris of Perry—11.

Also, favorably to the bill—

S. B. 422. To repeal section one of an act in relation to the prohibition of the sale or giving away vinous or spirituous liquors within two miles of Gaylesville High School, Cherokee county, and other counties therein named, approved December 17, 1873, so far as the same relates to Vernon, Sanford county.

Which bill was read the third time and passed—yeas 53, nays 4.

Those who voted yea are—

Messrs. Aldridge, Barnett, Beirne, Betts, Blevins, Bonner, Brewer, Baker, Brown, Cashin, Cockrell, Crews, Davis, Dickson, Dillon, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Herman, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Martin, Matthews, Mitchell, Prowell, Purcell, Rabby, Reese, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Wharton, Wood of Marengo, and Woolf—53.

Those who voted nay are—

Messrs. Boyd, Cook, Harris of Perry, and Reid—4.

Also, favorably to the bill—

H. B. 39. To repeal an act, approved December 17, 1874, prohibiting the sale, or otherwise disposing of spirituous or vinous liquors within three miles of the Baptist church at Rodgersville, Lauderdale county.

Which bill was read the third time and passed—yeas 49, nays 6.

Those who voted yea are—

Messrs. Aldridge, Beirne, Betts, Blevins, Bonner, Boyd, Brewer, Baker, Brown, Cashin, Crews, Davis, Dickson, Dillon, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Herman, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Martin, Mathews, Mitchell, Prowell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Wharton, Wood of Marengo, and Woolf—49.

Those who voted nay are—

Messrs. Cook, Cockrell, Edwards, Harris of Perry, Purcell and Reese—6.

Also, favorably to the bill—

H. B. 416. To repeal an act, approved March, 1875, prohibiting the sale of liquors within three miles of Richland Baptist Church, in Pike county, as to Barbour county.

Which bill was read the third time and passed—yeas 41, nays 11.

Those who voted yea are—

Messrs. Aldridge, Beirne, Betts, Blevins, Bonner, Brewer, Brown, Dickson, Dillon, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullede, Hamilton, Harris of Chambers, Heaton, Herman, Holloway, Jones of Russell, Kimmey,

Kirkland, Leslie, Locke, Maples, Martin, Prowell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Wharton and Wood of Marengo—41.

Those who voted nay are—

Messrs. Billups, Boyd, Cockrell, Crews, Edwards, Harris of Perry, Huey, Lewis, Purcell, Reese and Reid—11.

Also, from same committee, favorably to the bill—

H. B. 159. To repeal an act to prohibit the selling of vinous or spirituous liquors within two miles of Snow Hill Depot, and within two miles of Bethsada Baptist Church, in Wilcox county;

Which bill was read the third time and passed—yeas 53, nays 15.

Those who voted yea are—

Messrs. Allen, Aldridge, Baldwin, Beirne, Betts, Blevins, Bonner, Boyd, Brewer, Baker, Brown, Cashin, Davis, Dickson, Dillon, Fagan, Farriss, Fielder, Franklin, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, Matthews, Mitchell, Prowell, Rabby, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Wharton, Wood of Marengo and Woolf—53.

Those who voted nay are—

Messrs. Barnett, Billups, Bliss, Cook, Cockrell, Crews, Edwards, Gibson, Lewis, Purcell, Reese, Reid, Smith of Bullock, Troup and Wynne—15.

On motion of Mr. Barnett, the house concurred in the amendments of the senate to the bill—

H. B. 270. To provide for the impeachment and removal from office of the officers mentioned in sections 2 and 3, of article 7, of the constitution of Alabama—yeas 53, nays 10.

Those who voted yea are—

Messrs. Allen, Aldredge, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brown, Cashin, Crews, Davis, Dillon, Edwards, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gulledege, Hamilton, Harris of Chambers, Heaton, Herman, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Mitchell, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton and Woolf—53.

Those who voted nay are—

Messrs. Blevins, Boyd, Cockrell, Harris of Perry, Lewis,

Matthews, Reese Reid, Wood of Marengo, and Wynne—10

Mr. Maples, from the committee on temperance, reported adversely to the bill—

H. B. 364. To repeal an act to prevent the sale of spirituous or vinous liquors within two miles of Harrison Lodge, No. 246.

Mr. Kimmey moved that the house do not concur.

Pending the consideration of which, on motion of Mr. Wood of Marengo, the house adjourned until to-morrow morning, 10 o'clock.

FORTY-NINTH DAY.

WEDNESDAY, February 23, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Fagan, Farriss, Fielder, Franklin, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Prowell, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wilson, Wood of Marengo, Woolf and Wynne—83.

The journal of yesterday was read and approved.

Mr. Wilson asked and obtained leave to record his vote in favor of the passage of the senate bill—

S. B. 302. To ratify and confirm the settlement of the commissioners on the State debt, &c.

On motion of Mr. Grant, the vote by which the adverse report to the bill—

H. B. 304. To make Solomon H. Bean, a citizen of Cleburne county, a citizen of Calhoun county;

Was concurred in, was reconsidered.

Mr. Grant moved that the house do not concur, which motion was lost, and the report was concurred in.

Mr. Anderson, (Mr. Clements in the chair) moved to reconsider the vote by which the house concurred in the amendments of the senate to the bill—

H. B. 270. To provide for the impeachment and removal from office of the officers mentioned in sections 2 and 3, article 7, of the constitution of Alabama;

Which motion carried.

And the question being on concurring in the senate amendments, the house refused to concur—yeas 15, nays 64.

Those who voted yea are—

Messrs. Allen, Baldwin, Cashin, Cockrell, Crews, Edwards, Franklin, Greene of Jefferson, Price, Prowell, Purcell, Rabby, Reid, Rousseau, and Wood of Marengo—15.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Clements, Cook, Davis, Dickson, Dillon, Fagan, Farriss, Fielder, Gibson, Gilmer of Lawrence, Gullett, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Reese, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wilson, Woolf and Wynne—64.

SPECIAL ORDER.

The hour of 11 o'clock having arrived, the house proceeded to the consideration of the special order for this hour, viz., the bill—

H. B. 397. To establish, organize and regulate a system of public instruction for the State of Alabama.

Mr. Clements moved to amend by way of substitute for subdivisions 1 to 8 inclusive, of section 1, article 1.

Mr. Woolf moved to amend the substitute by adding the following:

Provided, That the above appropriations shall not be construed as in addition to the appropriations in the act to make appropriations for the support of public schools, approved February 18, 1876, but shall be construed as the same appropriations provided for in said act;

Which, on motion of Mr. Aldridge, was laid on the table.

Mr. Price offered the following as a substitute for that of Mr. Clements :

The fund appropriated by the act approved February 18, 1876, entitled an act to make appropriations for the support of the public schools of this State.

The substitute was accepted by Mr. Clements, and adopted by the house.

Mr. Clements moved to amend as follows :

In section 2, insert after the word "shall," in 3d line, the word "have;" and also, insert after the word "day," in same line, the words "from same sources above mentioned," and strike out the words "and the specific annual taxes" in 4th and 5th lines, and also strike out all of said section 2 after the word "year," in 5th line.

The amendments were adopted.

Mr. Smith of Bullock moved to amend by adding the word "which" after the word "poll tax," in said section 2, line 4. Adopted.

Mr. Clements moved to amend by adding after the word "paid," in section 3, article 3, at the end of line 55, the following :

"And he shall prepare and keep a catalogue of all the books, charts, apparatus, &c., which may belong to the library of the educational department, and shall enter therein all additions which may be made thereto, from time to time, by donation or purchase, and he shall account for all such property to his successor in office." Adopted.

Mr. Clements offered the following amendments, which were severally adopted:

1st. In section 6, article 3, on page 3, strike out the words "as the salaries of other State officers are paid," and insert in lieu thereof, "out of the educational fund."

2d. In section 1, article 4, page 9, strike out "general assembly," and insert "State Superintendent."

3d. In section 1, article 5, page 15, insert after the word "must," in sixth line, "within ten days;" and strike out all after the word "age," in line 10 of said section.

4th. In section 3, article 7, insert after the word "hours," in fourth line, "actually taught, not including recess."

5th. In section 1, article 14, insert after the word "charge," in third line, "for the previous scholastic year." Also, add, at the end of said section, the following: "And such presidents shall not be required to make to the general assembly any other reports than as herein provided; but the boards of trus-

tees of these institutions, respectively, may require of the presidents of the institutions under their control all such reports as they may think necessary, and said board of trustees shall report to the general assembly at the commencement of its sessions of the amount of funds received, the expenditure of the same, and the general operations and condition of said colleges."

Mr. Edwards moved to amend article 2, section 1, subdivision 2, by adding thereto the following: "which office shall be filled ex officio by the judge of probate."

Pending the consideration of which,

On motion of Mr. Cockrell, the house took a recess until four, p. m.

AFTERNOON SESSION.

The house met pursuant to adjournment.

The bill—

H. B. 469. To transfer certain school furniture to the State normal school at Florence;

Was read the second time and referred to the committee on education.

The bill—

H. B. 468. To organize the militia of Alabama;

Was read the second time and referred to the committee on the military.

The bill—

H. B. 470. To authorize the tax collector of Randolph county to advertise his tax sales by posting written notices;

Was read the second time and referred to the committee on ways and means.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 23, 1876.

Mr. Speaker:

The senate concurs in the house amendments to the senate bills—

s. B. 312. To prescribe the time of holding the courts of the eastern chancery division.

s. B. 80. To close the accounts and settle the contracts

made by the board for the improvement of the river, harbor and bay of Mobile.

And has passed the following house bills :

H. B. 365. To incorporate the Haw Ridge Baptist church, in Dale county, and Haw Ridge academy, in Coffee county.

H. B. 385. Authorizing certain parties herein named to pay their taxes in Covington county.

And has originated and passed the following bill—

s. B. 340. To incorporate the Alabama Sipsey River Navigation Company, and to prescribe its duties and regulate its powers.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the senate bills—

s. B. 378. Joint memorial to the congress of the United States, in relation to opening the Tennessee river to navigation.

s. B. 119. To amend-section 109 of the Revised Code ;

s. B. 302. To ratify and confirm the settlement of the existing indebtedness of this State, as proposed in the report of the commissioners appointed under the act approved December 17, 1874.

s. B. 80. To close the accounts and settle the contracts made by the board for the improvement of the river, harbor and bay of Mobile.

By leave, the following bills were introduced :

By Mr. Price—

H. B. 471. To construe the law requiring notaries public to affix a stamp, to the value of one dollar, to their official seal ;
Also,

H. B. 472. To incorporate the Whistler Industrial Co-operative Association No. 1 ;

By Mr. Wilson—

H. B. 473. To amend section one of an act to prohibit the sale or giving away of spirituous or vinous liquors in certain cases, approved 15th April, 1873 ;

By Mr. Anderson—

H. B. 474. To provide for the correction of excessive assessments of taxes on the property of infants who have no

guardian, or of persons unable, from bodily or mental incapacity, to make a return to the county assessor of taxes, or who, from the same cause, are unable to have such assessments corrected ;

By Mr. Gullledge—

H. B. 475. To provide for the payment of witnesses for the Stae in certain cases ;

Which bills were severally read once, and ordered to a second reading on to-morrow.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

February 23, 1876.

Mr. Speaker :

The Governor has approved the following joint memorial which originated in the house of representatives :

H. M. 55. Joint memorial of the general assembly of the State of Alabama to the congress of the United States, relative to the public domain in Alabama.

Respectfully,

L. R. DAVIS,
Private Secretary.

SENATE BILLS ON FIRST READING.

The senate bills—

S. B. 271. To regulate the hiring of convicts by the warden of the penitentiary ;

S. B. 333. To authorize the auditor to draw his warrant on the treasurer, to pay the expenses of the joint committee to visit the penitentiary ;

S. B. 232. To amend subdivision six of section 680 of the Revised Code ;

S. B. 344. To re-enact an act therein mentioned, and set out as an act to re-enact the laws incorporating the town of Oxford, in Calhoun county, and to give the corporate authorities of said town additional powers ;

S. B. 128. To provide for the transfer of causes in the chancery courts in certain cases ;

S. B. 46. To regulate the purchase of stationery and other materials for the use of county officers in this State ;

S. B. 30. To repeal an act entitled an act to compel the courts of county commissioners to carry into effect the provisions of chapter 3, part 4, title 2, of the Revised Code, providing for hard labor for the county, approved March 8, 1875;

S. B. 152. To provide for the payment of proper compensation to the counsel employed by the Governor to enforce the collection of taxes on the capital stock of national banks;

S. B. 263. To repeal "an act to allow the court of county commissioners of Wilcox county to levy a tax greater than fifty per cent.," approved October 10, 1868;

S. B. 340. To incorporate the Alabama Sipsey River Navigation Company, and to prescribe its duties and regulate its powers;

Which bills were severally read once and ordered to a second reading on to-morrow.

The house refused to concur in the amendments of the senate to the bill—

H. B. 49. To arrange the courts by districts in the southern chancery division.

The house resumed the consideration of the bill—

H. B. 397. To establish, organize and regulate a system of public instruction for the State of Alabama;

The question pending being the amendment of Mr. Edwards.

Mr. St. John moved to amend the amendment by striking out "probate judge," and inserting "county treasurer."

Mr. Billups moved to lay both the amendments on the table.

Mr. Smith of Franklin called for a division of the question, and the vote being taken first on laying on the table the amendments of Mr. St. John, it was carried, and the amendment of Mr. Edwards was laid on the table.

Yeas 52, nays 24.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Baldwin, Barnett, Barron, Beirne, Billups, Blevins, Bonner, Boyd, Bozeman, Brewer, Cashin, Clements, Cook, Coon, Crews, Dickson, Dillon, Fagan, Farriss, Fielder, Gibson, Gilmer of Lawrence, Grant, Greene of Lee, Gullledge, Harris of Chambers, Harris of Dallas, Harris of Perry, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Leslie, Locke, Martin, Mitchell, Price, Rabby, Reese, Reid, Rice, Sims, Stallworth, Troup, Wharton, Wood of Marengo and Wynne—52.

Those who voted nay are—

Messrs. Andrews, Baker, Brown, Carson, Davis, Edwards, Franklin, Greene of Jefferson, Hamilton, Heaton, Holloway, Lee, Mathews, Prowell, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Wilson and Woolf—24.

Mr. St. John moved to amend article 2, of sub-division 2, of section 1, line four, by adding the following: "Which office shall be filled *ex officio* by the circuit clerk."

On motion of Mr. Beirne, the amendment was laid on the table.

Yeas 50, nays 26.

Those who voted yea are—

Messrs. Speaker, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Bozeman, Brewer, Cashin, Chambers, Clements, Coon, Crews, Dickson, Dillon, Fagan, Farriss, Fielder, Gibson, Grant, Greene of Lee, Harris of Dallas, Harris of Perry, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Leslie, Lewis, Locke, Maples, Martin, Price, Reese, Rice, Ross, Sims, Smith of Bullock, Stallworth, Troup, Wood of Marengo, Woolf and Wynne—50.

Those who voted nay are—

Messrs. Aldridge, Andrews, Baker, Cook, Cockrell, Davis, Edwards, Franklin, Green of Jefferson, Gulledege, Hamilton, Harris of Chambers, Heaton, Mathews, Prowell, Rabby, Reid, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Wharton and Wilson—26.

Mr. Smith of Franklin moved to amend section 1, article 4, by striking out the following words in lines 3 and 4, "provided that the State Superintendent may at any time place two or more counties under the supervision of a single county superintendent;"

The amendment was adopted.

Mr. Wharton moved to amend as follows: "After the sentence ending with the word "teacher," in line 9, of section 2, article 6, insert the following: "The teacher must make affidavit of the correctness of his report, before any one of the trustees of the township in which he taught, and the township trustees are hereby empowered to administer such oath, but they shall be allowed no compensation for administering the same."

Mr. Clements called for the previous question.

The house refused to order the main question.

Pending the consideration of the amendment offered by Mr. Wharton,

On motion of Mr. Smith of Franklin the house adjourned until to-morrow morning, 10 o'clock.

Yeas 53, nays 28.

Those who voted yea are—

Messrs. Allen, Andrews, Barron, Bennett, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Cashin, Chambers, Davis, Dickson, Edwards, Fagan, Fielder, Franklin, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Perry, Herman, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Lewis, Maples, Matthews, McDuffie, Mitchell, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stevens, St. John, Tate, Wharton, Wilson, Wood of Marengo, and Wynne—53.

Those who voted nay are—

Messrs. Speaker, Aldridge, Baldwin, Barnett, Beirne, Betts, Billups, Bonner, Carson, Clements, Cook, Cockrell, Crews, Dillon, Farriss, Gibson, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Leslie, Locke, Martin, Rabby, Stallworth, Straughn, Troup and Woolf—28.

FIFTIETH DAY.

THURSDAY, February 24, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Mills.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Fagan, Farriss, Fielder, Franklin, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of R., Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Prowell, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St.

John, Straughn, Stribling, Tate, Troup, Wharton, Wilson, Wood of Marengo, Woolf and Wynne—83.

The journal of yesterday was read and approved.

By leave, Mr. Smith of Franklin offered the following resolution, which was adopted ;

Resolved, That from and after the adoption of this resolution, the house shall meet at 9 o'clock, a. m., and shall not adjourn before 2½ o'clock each day.

BILLS ON SECOND READING.

The bill—

H. B. 475. To provide for the payment of witnesses for the State, in certain cases ;

Was read the second time and referred to the committee on fees and salaries.

The bill—

H. B. 474. To provide for the correction of excessive assessments of taxes, on the property of infants, who have no guardian, or of persons unable, from bodily or mental incapacity, to make a return to the county assessor of taxes, or who, from the same cause, are unable to have such assessments corrected ;

Was read the second time and referred to the committee on ways and means.

The bill—

H. B. 473. To amend section one of an act to prohibit the sale, or giving away of spirituous or vinous liquors, in certain cases, approved April 15, 1873 ;

Was read the second time and referred to the committee on temperance.

The bills—

H. B. 471. To construe the law requiring notary publics to affix a stamp to the value of one dollar to their official seal.

H. B. 472. To incorporate the Whistler Industrial Co-operative Association No 1 ;

Were severally read the second time and referred to a special committee of three.

Committee : Messrs. Price, Stallworth and Greene of Lee.

The senate bills—

S. B. 152. To provide for the payment of proper compensation to the counsel employed by the Governor to enforce the collection of taxes on the capital stock of national banks.

S. B. 238. To amend subdivision six of section 680 of the Revised Code.

s. B. 128. To provide for the transfer of causes in the chancery courts of this State.

s. B. 30. To repeal an act entitled an act to compel the courts of county commissioners to carry into effect the provisions of chapter 3, part 4, title 2, of the Revised Code, providing for hard labor for the county, approved March 8, 1875;

Were severally read the second time and referred to the committee on the judiciary.

The senate bill—

s. B. 263. To repeal an act to allow the court of county commissioners of Wilcox county to levy a tax greater than fifty per cent., approved October 10, 1868. :

Was read the second time and referred to the committee on local legislation.

The senate bill—

s. B. 46. To regulate the purchase of stationery and other material for the use of county officers in this State ;

Was read the second time and referred to the committee on the constitution.

The senate bill—

s. B. 333. To authorize the auditor to draw his warrant on the treasurer to pay the expenses of the joint committee to visit the penitentiary ;

Was read the second time and referred to the committee on accounts and claims.

The senate bill—

s. B. 271. To regulate the hiring of convicts by the warden of the penitentiary ;

Was read the second time and referred to the committee on the penitentiary.

The senate bill—

s. B. 344. To re-enact an act therein mentioned and set out as "an act to re-enact the laws incorporating the town of Oxford, in Calhoun county, and to give the corporate authorities of said town additional powers ;"

Was read the second time and referred to the committee on corporations.

The senate bill—

s. B. 340. To incorporate the Alabama Sipsey River Navigation Company, and to prescribe its duties and regulate its powers ;

Was read the second time and referred to the committee on agriculture and commerce.

On motion of Mr. Huey, the substitute reported by the committee on temperance for the bill—

H. B. 184. To regulate the sale of spirituous liquors in the State of Alabama;

Was made the special order for Tuesday next, 12 m.

By leave, the following bills were introduced :

By Mr. Brewer—

H. B. 476. For the relief of maimed soldiers.

Also,

H. B. 477. To give liens to landlords on goods and chattles in rented or leased premises.

By Mr. Leslie—

H. B. 478. Joint resolution to suspend section 6, article 12, of the constitution of this State.

By Mr. Price—

H. B. 479. To authorize the construction of a break-water in the bay and harbor of Mobile ;

Which bills were severally read once and ordered to a second reading on to-morrow.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following as correctly enrolled :

H. B. 365. To incorporate Haw Ridge Baptist church, in Dale county, and Haw Ridge academy, in Coffee county.

H. B. 385. Authorizing certain parties therein named to pay their taxes in Covington county.

SIGNING BILLS.

And the Speaker, in the presence of the house and immediately after the titles had been publicly read, signed said bills.

On motion of Mr. Straughn, the consideration of the adverse report of the committee on temperance to the bill—

H. B. 364. To repeal an act to prevent the sale of spirituous or vinous liquors within two miles of Harrison Lodge No. 246 ;

Was made the special order for to-morrow, immediately after the journal is read.

On motion of Mr. Leslie, the vote, by which the amendment offered by Mr. Smith of Bullock to the educational bill was adopted on yesterday, was reconsidered, and the question recurring on the adoption of the amendment, it was lost.

By leave, Mr. Smith of Franklin, from the committee on

public buildings and institutions, reported favorably to the bill—

H. B. 438. To repeal section 1047 of the Revised Code.

On motion of Mr. Billups, the bill was recommitted.

Also, from same committee, favorably to the bill—

H. B. 439. To amend section 1050 of the Revised Code;

Which bill was read the third time and passed—yeas 57, nays 10.

Those who voted yea are—

Messrs. Speaker, Allen, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Brewer, Baker, Brown, Carson, Chambers, Clements, Crews, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Heaton, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Mathews, Mitchell, Price, Prowell, Purcell, Rabby, Rice, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—57.

Those who voted nay are—

Messrs. Bliss, Boyd, Cockrell, Harris of Perry, Lewis, Martin, Reese, Reid, Ross and Wynne—10.

Also, favorably to the bill—

H. B. 440. To amend section 1053 of the Revised Code;

Which bill was read the third time and passed—yeas 44, nays 26.

Those who voted yea are—

Messrs. Speaker, Andrews, Barnett, Bozeman, Brewer, Brown, Cashin, Chambers, Clements, Crews, Dillon, Edwards, Espy, Fielder, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Maples, McDuffie, Mitchell, Price, Purcell, Rabby, Rousseau, Smith of Franklin, Stallworth, Straughn, Stribling, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—44.

Those who voted nay are—

Messrs. Aldridge, Barron, Betts, Billups, Blevins, Bliss, Boyd, Baker, Carson, Cockrell, Farriss, Franklin, Harris of Perry, Heaton, Lewis, Locke, Martin, Prowell, Reese, Reid, Rice, Ross, Stevens, St. John, Townsend and Troup—26.

On motion of Mr. Harris of Perry, the vote, by which the bill passed, was reconsidered.

The bill was read the third time and passed—yeas 48, nays 24.

Those who voted nay are—

Messrs. Speaker, Barnett, Beirne, Betts, Billups, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Rabby, Reese, Rousseau, Smith of Franklin, Stallworth, Straughn, Stribling, Tate, Townsend, Troup, Wharton and Woolf—48.

Those who voted nay are—

Messrs. Aldridge, Barnett, Bennett, Blevins, Bliss, Boyd, Cashin, Cockrell, Franklin, Harris of Dallas, Harris of Perry, Heaton, Lee, Lewis, Locke, Martin, Reid, Rice, Ross, Stevens, St. John, Wood of Marengo, Wood of Talladega, and Wynne—24.

Also, from same committee, favorably to the bill—

H. B. 441. To amend section 1054 of the Revised Code.

Mr. Lewis moved to lay the bill on the table;

Lost.

And the bill was read the third time and passed—yeas 60, nays 17.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Maples, Mitchell, Price, Prowell, Purcell, Rabby, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—60.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Bliss, Boyd, Cashin, Cockrell, Fagan, Harris of Dallas, Lee, Lewis, Locke, Martin, Reese, Reid, Wood of Marengo, and Wynne—17.

Also, favorably, with amendment, to the bill—

H. B. 442. To amend section 1066 of the Revised Code.

Amend, by adding, after the word "sufficient," the following: "Not to exceed twenty dollars;"

Adopted.

And the bill was read the third time and passed—yeas 68, nays 5.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Blevins, Bliss, Bozeman, Brewer, Baker, Brown, Carson, Cashin, Clements, Cook, Crews, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Gibson, Gilmer of Lawrence, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—68.

Those who voted nay are—

Messrs. Boyd, Cockrell, Reid, Wood of Marengo, and Wynne—5.

Also, favorably to the bill—

H. B. 443. To amend section one of an act for the support of the Alabama Insane Hospital, approved 16th February, 1871 ;

Which bill was read the third time and passed—yeas 62, nays 4.

Those who voted yea are—

Messrs. Aldridge, Baldwin, Barnett, Beirne, Bennett, Betts, Blevins, Bliss, Bonner, Bozeman, Baker, Brown, Carson, Clements, Cook, Crews, Dillon, Edwards, Fagan, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, McDuffie, Mitchell, Price, Purcell, Reese, Rice, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, Woolf and Wynne—62.

Those who voted nay are—

Messrs. Blevins, Boyd, Cockrell and Reid—4.

SIGNING BILLS.

The speaker, in the presence of the house and immediately after the titles had been publicly read, signed the senate bills—

S. B. 312. To prescribe the time of holding the courts of the eastern chancery division.

S. B. 212. To define the duties of owners of partition fences.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

February 24, 1876.

Mr. Speaker :

The senate has originated and passed the following bills :

S. B. 324. To regulate the terms of the circuit court of Dallas county, in the first judicial circuit.

S. B. 366. To amend section nine of an act to provide for the registration of electors in this State, approved March 18, 1875.

S. B. 387. To extend the time for the publication of the unpublished decisions of the supreme court, prior to the January term, 1875.

S. B. 363. To authorize appeals in certain cases.

S. B. 352. Requiring probate judges to cancel interest on State obligations in the manner as required by the State Treasurer.

S. B. 384. To provide for the payment of the expenses of the joint special committee of the general assembly to visit the institution for the deaf, dumb and the blind.

S. B. 359. To prevent the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors within five miles of the nineteenth mile post, or the Sodda church, on the Butler's Mill road, and Bethesda church, situated between the Woodley road and the Butler's Mills road, in Montgomery county.

The senate concurs in the house amendments to the senate bill—

S. B. 5. To define and regulate the practice and proceedings in *mandamus* cases.

And has passed house bills—

H. B. 391. To amend an act to regulate the practice in the circuit court of Mobile county, approved March 1, 1870.

H. B. 444. To make appropriations for the fiscal year ending September 30, 1876.

And has passed and ordered forthwith to the house, the house bill—

H. B. 445. To amend an act, approved February 17, 1871,

to amend an act entitled an act to establish a new charter for the city of Huntsville, approved March 3, 1870.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

UNFINISHED BUSINESS.

The house next proceeded to the consideration of the bill—

H. B. 397. To establish, organize and regulate a system of public instruction for the State of Alabama.

On motion of Mr. Leslie, the bill was considered by articles, commencing with article two.

Article two was adopted.

Mr. Harris of Perry moved to amend article three, section five, by striking out "fifteen hundred dollars," and inserting "twelve hundred dollars ;"

Which, on motion of Mr. Leslie, was laid on the table.

Article three was adopted.

ARTICLE FOUR.

Mr. St. John moved to amend, by substituting the following for section nine :

Be it further enacted, That the terms of office of all county superintendents of education now in office shall expire on the first Monday in August, 1876, and their successors shall be elected by the qualified electors of each county at the general election to be held on the first Monday in August, 1876, in accordance in all respects with the election law of this State. The terms of the office of the county superintendents shall be two years, commencing on the day after each general election.

The amendment was lost.

Mr. Greene of Jefferson moved to amend by striking out the words "five per cent," in line two of section two, and inserting "four per cent ;"

Which, on motion of Mr. Dillon, was laid on the table.

Mr. Harris of Perry moved to amend as follows : by inserting in line three, after the word "education," the following : "who shall be a man of good moral character."

On motion of Mr. Blevins, the amendment was laid on the table—yeas 45, nays 29.

Those who voted yea are—

Messrs. Andrews, Barnett, Barron, Betts, Billups, Blevins, Bonner, Brewer, Baker, Brown, Clements, Davis, Dillon, Espy, Farriss, Fielder, Gibson, Gilmer of Lawrence, Gullledge, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Rabby, Rice, Ross, Rousseau, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Straughn, Troup, Wood of Marengo, and Woolf—45.

Those who voted nay are—

Messrs. Aldridge, Baldwin, Beirne, Bennett, Bliss, Boze-man, Carson, Cook, Coon, Cockrell, Edwards, Fagan, Franklin, Greene of Jefferson, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Mathews, Purcell, Reid, St. John, Stribling, Wharton, Wilson, Wood of Marengo, and Wynne—29.

Mr. Straughn moved to reconsider the vote adopting article 2, in order that he might offer an amendment.

On motion of Mr. Greene of Lee, the motion to reconsider was laid on the table.

Articles 4 and 5 were then adopted.

ARTICLE SIX.

The amendment offered by Mr. Wharton to this article, and pending at adjournment on yesterday, was considered.

Mr. Smith of Bullock, moved to lay the amendment on the table. Lost.

Mr. Wharton moved to amend the amendment by adding after the word "oath" the following:

"And said affidavit may also be made before any justice of the peace in said county." Adopted;

And the amendment as amended was adopted.

Article 6, as amended, was adopted.

Articles 7, 8 and 9 were adopted, and the bill was read the third time and on motion of Mr. Anderson, (Mr. Greene of Lee in the chair,) its further consideration was postponed and made the special order for Tuesday next, 12 m.

The bill—

H. B. 444 $\frac{1}{2}$. To provide for the payment of the interest on the public debt;

Which was made the special order for 1 p. m. to-day, and being suspended for the purpose of considering the educational bill, was, on motion of Mr. Anderson, placed on the calender, to be considered under the head of unfinished busi-

ness, in which the house was last engaged in at adjournment.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 24, 1876.

Mr. Speaker :

The senate has originated and passed, and ordered forthwith to the house, the senate bill—

S. B. 373. To authorize the warden of the penitentiary to contract with the South and North Alabama Railroad Company for the employment of convicts.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary :

EXECUTIVE DEPARTMENT,
February 24, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the house of representatives :

H. B. 385. An act authorizing certain parties therein named to pay their taxes in Covington county.

H. B. 365. An act to incorporate Haw Ridge Baptist Church, in Dale county, and Haw Ridge Academy, in Coffee county.

Respectfully,

L. R. DAVIS,
Private Sec'y.

SENATE BILLS ON FIRST READING.

The senate bills—

S. B. 373. To authorize the warden of the penitentiary to contract with the South and North Alabama Railroad Company for the employment of convicts.

S. B. 352. Requiring probate judges to cancel interest on State obligations in the manner as required by the State Treasurer.

S. B. 366. To amend section 9 of an act to provide for the

registration of electors in this State, approved March 18th, 1875.

S. B. 387. To extend the time for the publication of the unpublished decisions of the supreme court prior to the January term, 1875.

S. B. 324. To regulate the terms of the circuit court of Dallas county in the first judicial circuit.

S. B. 384. To provide for the payment of the expenses of the special joint committee of the general assembly to visit the Institution for the Deaf, Dumb and the Blind.

S. B. 363. To authorize appeals in certain cases.

S. B. 359. To prevent the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within five miles of the nineteenth mile post or the Sodda Church, on the Butler's Mill Road, and Bethesda Church, situated between the Woodley Road and the Butler's Mill Road, in Montgomery county;

Were severally read once and ordered to a second reading on to-morrow.

On motion of Mr. Cockrell, the house adjourned until to-morrow morning, 10 o'clock.

FIFTY-FIRST DAY.

FRIDAY, February 25, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Gwin.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Lee, Gulleage, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Mathews, Price, Prowell, Purcell, Rabby, Reese, Reid, Rice, Ross, Rosseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Troup, Wharton, Wilson, Wood of Maringo, Wood of Talladega, Woolf and Wynne—71.

Journal of yesterday was read and approved.

BILLS ON SECOND READING.

The bill—

H. B. 479. To authorize the construction of a breakwater in the bay and harbor of Mobile ;

Was read the second time and referred to a special committee, composed of the Mobile delegation.

The bill—

H. B. 478. Joint resolution to suspend section 6, article 12, of the constitution of the State ;

Was read the second time and referred to the committee on education, with instructions to report as early as practicable.

On motion of Mr. Higgins, the vote by which the bill—

H. B. ——. To establish, organize and regulate a system of public instruction for the State of Alabama :

Was made the special order for Tuesday next, 12 m., and also the vote by which the bill was ordered to a third reading, were reconsidered.

Mr. Higgins moved to recommit the bill.

Mr. Leslie moved to refer to a special committee of seven.

The question on recommitment being first put, it was lost.

And the motion to refer to a special committee of seven, carried.

Committee: Messrs. Higgins, Clements, Barnett, Leslie, Woolf, Wood of Talladega, and Price.

Mr. St. John moved to reconsider the vote referring the bill—

H. B. 478. Joint resolution to suspend section 6, article 12, of the constitution of this State to the committee on education.

Carried.

Mr. St. John moved to lay the bill on the table.

Lost. Yeas 38, nays 41.

Those who voted yea are—

Messrs. Aldridge, Andrews, Beirne, Bonner, Baker, Brown, Chambers, Cockrell, Davis, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Holloway, Jones of Russell, Kimmey, Kirkland, Maples, Prowell, Purcell, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson and Wood of Talladega—38.

Those who voted nay are—

Messrs. Speaker, Allen, Baldwin, Barron, Bennett, Betts, Billups, Blevins, Bliss, Boyd, Bozeman, Brewer, Carson,

Cashin, Cook, Crews, Dillon, Fagan, Gilmer of Montgomery, Greene of Lee, Harris of Dallas, Harris of Perry, Higgins, Huey, Lee, Leslie, Lewis, Locke, Martin, Matthews, Price, Rabby, Reese, Reid, Rice, Sims, Smith of Bullock, Stallworth, Tate, Wood of Marengo, Woolf and Wynne—41.

Mr. St. John moved to indefinitely postpone the further consideration of the bill.

Pending the consideration of which, the following message was received.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
February 25, 1876. }

Mr. Speaker—

The Governor has approved the following bills which originated in the house of representatives:

H. B. 444. To make appropriations for the fiscal year ending September 30, 1876.

H. B. 445. To amend an act, approved February 17, 1871, to amend an act entitled an act to establish a new charter for the city of Huntsville, approved March 3, 1870.

H. B. 391. To amend an act to regulate the practice in the circuit court of Mobile county, approved March 1, 1870.

Respectfully,

L. R. DAVIS,
Private Sec'y.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 25, 1876.

Mr. Speaker :

The senate has amended, as therein shown, and passed the house bill—

H. B. 274. To establish a general incorporation law, for the purpose of organizing mining, manufacturing, immigration or industrial companies in this State.

And has passed house bills—

H. B. 299. To provide for and extend the time for the redemption of lands sold for taxes, where purchased by individuals.

H. B. 359. To require county claims to be itemized and

sworn to, before allowances are made by the court of county commissioners, and to provide for the filing of the same.

The senate has originated and passed the following bill—

S. B. 391. To carry into effect the intention of the congress of the United States in its donation of a certain quantity of lands to the legislature of the State of Alabama, by the act of March 2, 1819, to be by said legislature held and administered for the use of a seminary of learning in said State.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

ENROLLED BILLS.

Mr. Fielder, from the committee on enrolled bills, reported the following as correctly enrolled :

H. B. 391. To amend an act to regulate the practice in the circuit court of Mobile county, approved March 1, 1870 ;

H. B. 444. To make appropriations for the fiscal year ending September 30, 1870 ;

H. B. 445. To amend an act approved February 17, 1871, to amend an act entitled an act to establish a new charter for the city of Huntsville, approved March 3, 1870 ;

H. B. 299. To provide for and extend the time for the redemption of lands sold for taxes where purchased by individuals ;

H. B. 359. To require county claims to be itemized and sworn to before allowances are made by the court of county commissioners, and to provide for the filing of the same.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills ;
And the senate bill—

S. B. 5. To define and regulate the practice and proceedings in *mandamus* cases.

The house resumed the consideration of the motion to indefinitely postpone ;

The motion carried—yeas 45, nays 35.

Those who voted yea are—

Messrs. Aldridge, Barnett, Bonner, Brewer, Baker, Brown, Chambers, Cockrell, Davis, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullledge, Hamilton,

Harris of Chambers, Heaton, Higgins, Holloway, Jones of Russell, Kimmey, Kirkland, Lee, Maples, McDuffie, Prowell, Purcell, Rabby, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—45.

Those who voted nay are—

Messrs. Speaker, Allen, Andrews, Baldwin, Barron, Beirne, Bennett, Billups, Blevins, Bliss, Boyd, Carson, Clements, Coon, Crews, Dillon, Fagan, Gilmer of Montgomery, Greene of Lee, Harris of Dallas, Harris of Perry, Huey, Leslie, Lewis, Locke, Martin, Mitchell, Price, Reese, Reid, Rice, Sims, Stallworth, Wood of Marengo and Wynne—35.

BILLS ON SECOND READING.

The bill—

H. B. 476. For the relief of maimed soldiers ;

Was read the second the second time and referred to the committee on appropriations.

The bill—

H. B. 477. To give liens to landlords on goods and chattels in rented or leased premises.

And the senate bills—

s. B. 363. To authorize appeals in certain cases.

s. B. 387. To extend the time for the publication of the unpublished decisions of the supreme court, prior to the January term, 1875 ;

Were severally read the second time and referred to the committee on the judiciary.

The senate bill—

s. B. 324. To regulate the terms of the circuit court of Dallas county in the first judicial circuit ;

Was read the second time and referred to the committee on local legislation.

The senate bill—

s. B. 352. Requiring probate judges to cancel interest on State obligations in the manner as required by the State treasurer ;

Was read the second time and referred to the committee on finance.

s. B. 359. To prevent the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within five miles of the nineteenth mile post, or the Sodda Church, on the Butler's mill road, and Bethesda Church, situated between

the Woodley road and the Butler's mill road, in Montgomery county;

Was read the second time and referred to the committee on temperance.

The senate bill—

S. B. 384. To provide for the payment of the expenses of the joint special committee of the general assembly to visit the institution for the deaf and dumb, and blind;

Was read the second time and referred to the committee on accounts and claims.

The senate bill—

S. B. 366. To amend section 9 of an act to provide for the registration of electors in this State, approved March 18th, 1875;

Was read the second time and referred to the committee on privileges and elections.

The senate bill—

S. B. 373. To authorize the warden of the penitentiary to contract with the South & North Alabama rail road company for the employment of convicts;

Was read the second time and referred to the committee on the penitentiary, with leave to report at pleasure.

The senate bill—

S. B. 391. To carry into effect the intention of the congress of the United States in its donation of a certain quantity of lands to the legislature of the State of Alabama, by the act of March 2, 1819, to be by said legislature held and administered for the use of a seminary of learning in said State;

Was read once and ordered to a second reading on to-morrow.

The same order as of yesterday was made in regard to the bill—

H. B. 444¹/₂. To provide for the payment of the interest on the public debt.

On motion of Mr. Cockrell, the house adjourned until to-morrow morning, 9 o'clock.

FIFTY-SECOND DAY.

SATURDAY, February 26, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Wilson.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bell, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—74.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Nelson for five days on account of sickness.

BILLS ON SECOND READING.

The senate bill—

S. B. 391. To carry into effect the intention of the congress of the United States in its donation of a certain quantity of lands to the legislature of the State of Alabama, by the act of March 2, 1819, to be by said legislature held and administered for the use of a seminary of learning in said State ;

Was read the second time and referred to a special committee of three.

Committee—Messrs. Betts, Clements and Brewer.

The house concurred in the senate amendment to the bill—

H. B. 274. To establish a general incorporation law for the

purpose of organizing mining, manufacturing, immigration or industrial companies in this State ;

Yeas 58, nays 7.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Bliss, Bonner, Brown, Carson, Chambers, Cockrell, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Greene of Lee, Gullett, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Jenkins, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Mathews, Prowell, Purcell, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wilson and Woolf—58.

Those who voted nay are—

Messrs. Boyd, Brewer, Harris of Perry, Lewis, Reese, Reid and Wynne—7.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary, Mr. Davis :

EXECUTIVE DEPARTMENT,

February 26, 1876.

Mr. Speaker :

The Governor has approved the following bills, which originated in the house of representatives :

H. B. 359. An act to require county claims to be itemized and sworn to before allowances are made by the court of county commissioners, and to provide for the filing of the same.

H. B. 299. An act to provide for and extend the time for the redemption of lands sold for taxes, when purchased by individuals.

Respectfully,

L. R. DAVIS,
Private Secretary.

UNFINISHED BUSINESS.

The house next proceeded to the consideration of the bill—

H. B. 444½. To provide for the payment of the interest on the public debt.

Mr. Woolf moved to amend by way of substitute.

Mr. Chambers moved to amend the substitute by additional sections as "sections 4, 5, 6, 7 and 8." Adopted.

Mr. Anderson moved to amend the substitute by additional section, as section 9. Adopted.

The substitute, as amended, was adopted, and the bill read the third time and passed—yeas 61, nays 21.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bliss, Bonner, Brewer, Baker, Brown, Carson, Cashin, Chambers, Cook, Cockrell, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Gibson, Gilmer of Lawrence, Gilmer of Montgomery, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Martin, Mitchell, Price, Prowell, Purcell, Reid, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Townsend, Wilson and Woolf—61.

Those who voted nay are—

Messrs. Bennett, Betts, Billups, Blevins, Boyd, Brantley, Clements, Crews, Franklin, Greene of Jefferson, Gullledge, Lee, Lewis, Reese, Rice, St. John, Troup, Wharton, Wood of Marengo, Wood of Talladega and Wynne—21.

The title was amended to read as follows:

H. B. 444½. A bill to be entitled an act to secure the payment to the State of United States currency, paid to tax collectors and other officers, to provide for setting aside a certain portion of the revenue, and the issuance of bonds for the purpose of paying interest on the public debt.

Mr. Cashin asked and obtained leave to record his vote against the indefinite postponement of the bill—

H. B. 478. Joint resolution to suspend section 6, article 12, of the constitution of this State.

Mr. Beirne, from the committee on the judiciary, reported favorably to the bill—

H. B. 427. To provide for the salaries of judges appointed or elected to fill vacancies occurring before the next general election for such officers;

Which bill was read the third time and passed—yeas 69, nays 4.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bennett, Betts, Billups, Bliss, Bonner, Brewer, Baker, Brown, Carson, Cashin, Chambers, Clements, Cockrell, Crews, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder,

Franklin, Gibson, Gilmer of Lawrence, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Martin, Mitchell, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Marengo, Wood of Talladega, and Woolf—69.

Those who voted nay are—

Messrs. Lewis, Reese, Reid and Wynne—4.

Also, from same committee, favorably to the senate bill—
s. B. 237. To make it penal to sell or buy any public office, created or provided for by the constitution and laws of this State, or any of the fees, perquisites or emoluments thereof.

Which bill was read the third time and passed—yeas 58, nays 14.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Billups, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cockrell, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Reid, Rice, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, and Woolf—58.

Those who voted nay are—

Messrs. Allen, Blevins, Boyd, Brantley, Cook, Coon, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Lee, Locke, Martin, Reese and Wynne—14.

Also, favorably to the senate bill—

s. B. 175. To repeal section 683 of the Revised Code;

Which bill was read the third time and passed—yeas 66, nays 7.

Those who voted nay are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Boyd, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Crews, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kirkland, Lee, Leslie, Locke, Maples, Mitchell, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St.

John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—66.

Those who voted nay are—

Messrs. Bennett, Cockrell, Gilmer of Montgomery, Harris of Dallas, Lewis, Reese and Wynne—7.

Also, favorably to the amendment of the senate to the bill—

H. B. 58. To authorize the publication of the laws of a general character.

The amendment was concurred in—yeas 63, nays 5.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Bonner, Brewer, Baker, Brown, Clements, Cook, Coon, Crews, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullett, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Jenkins, Kirkland, Leslie, Locke, Maples, Mitchell, Price, Prowell, Reese, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—63.

Those who voted nay are—

Messrs. Boyd, Cockrell, Harris of Perry, Herman and Lewis—5.

Also, from same committee, favorably to the senate bill—

s. B. 210. To amend section ninety (90) of an act to regulate elections in the State of Alabama, approved March 3d, 1875.

Mr. Woolf called for the previous question, and the call was sustained.

The bill was then read the third time and passed—yeas 53, nays 27.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullett, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson and Woolf—53.

Those who voted nay are—

Messrs. Allen, Baldwin, Bennett, Blevins, Bliss, Boyd, Carson, Cashin, Cook, Coon, Cockrell, Fagan, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Jenkins, Lee, Lewis, Locke, Martin, Mathews, Reese, Reid, Sims, Smith of Bullock, Wood of Marengo, and Wynne—27.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 26, 1876.

Mr. Speaker :

The senate has adopted the following joint resolution ;

Resolved by the Senate, (the house of representatives concurring,) That this general assembly adjourn *sine die* on Friday, March 3d, 1876, at 12 o'clock, m.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
February 26, 1876.

Mr. Speaker :

I am instructed by the Governor to communicate to the house of representatives a message in writing, with accompanying documents.

Very respectfully,

L. R. DAVIS,
Private Secretary.

EXECUTIVE DEPARTMENT,
February 26, 1876.

Gentlemen of the General Assembly :

At the request of the Superintendent of Public Instruction, I herewith transmit to your honorable bodies the accompanying communication.

GEO. S. HOUSTON,
Governor of Alabama.

On motion of Mr. Higgins, the Governor's message and

accompanying documents, were referred to the special committee on the bill to establish and regulate a system of public schools, &c.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 26, 1876.

Mr. Speaker:

The senate has amended, as therein shown, and passed the house bill—

H. B. 341. To establish a revenue code for the State of Alabama.

And ordered the same forthwith to the house.

Respectfully,

S. B. BREWER,
Secretary.

ENROLLED BILLS.

Mr. Jones, from the committee on enrolled bills, reported as correctly enrolled, the bill—

H. B. 58. To authorize the publication of the laws of a general character.

SIGNING BILL.

And the Speaker, in the presence of the house, and immediately after the title had been publicly read, signed the said bill.

On motion of Mr. Brewer, the senate amendments to the bill—

H. B. 341. To establish a revenue code for the State of Alabama;

Was referred to the committee on ways and means, with leave to report at pleasure.

On motion of Mr. Franklin, the bill—

H. B. 306. To change and define the line between the counties of DeKalb and Cherokee,

The further consideration of which was made the special order for 12 m., to-day, was postponed and made the special order for Monday, 12 m.

Mr. Beirne, from the committee on the judiciary, reported a substitute for the bill—

H. B. 302. To revive and keep in full force chapter nine, title nine, part first, of the Revised Code.

The substitute being entitled—

H. B. 302. An act to regulate the duties and provide for the compensation of solicitors of judicial circuits.

The substitute was adopted—

Mr. Aldridge moved to amend by adding to the last section the following: "Provided, That no annual salary shall be paid such solicitors."

Mr. Stribling moved to lay the amendment on the table. Lost—yeas 35, nays 40.

Those who voted yea are—

Messrs. Speaker, Allen, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Blevins, Bonner, Brewer, Brown, Cashin, Chambers, Clements, Cook, Coon, Crews, Fagan, Fielder, Hamilton, Harris of Dallas, Herman, Higgins, Jenkins, Jones of Russell, Locke, McDuffie, Mitchell, Price, Purcell, Rice, Straughn, Stribling and Wood of Talladega—35.

Those who voted nay are—

Messrs. Aldridge, Bennett, Billups, Boyd, Baker, Cockrell, Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Gullett, Harris of Chambers, Harris of Perry, Heaton, Holloway, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Maples, Matthews, Reese Reid, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Woolf and Wynne—40.

The amendment was adopted, and the bill read the third time and passed—yeas 63, nays 11.

Those who voted yea are—

Messrs. Allen, Aldridge, Beirne, Barnett, Betts, Billups, Bonner, Boyd, Brewer, Baker, Brown, Cashin, Chambers, Cook, Cockrell, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Gullett, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Matthews, McDuffie, Mitchell, Price, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Woolf and Wynne—63.

Those who voted nay are—

Messrs. Andrews, Baldwin, Barnett, Barron, Blevins, Coon, Herman, Jenkins, Martin, Stribling and Wood of Talladega—11.

Also, from same committee, favorably to the senate bill—

S. B. 48. To prescribe the manner in which the exemption of property from sale on execution, or other process of any court in this State, may be waived.

On motion of Mr. Lewis, the further consideration of the bill was postponed until Monday, immediately after the journal is read, and made the special order for that hour.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the senate bills—

S. B. 237. To make it penal to sell or buy any public office created or provided for by the constitution and laws of this State, or any of the fees, perquisites or emoluments thereof.

S. B. 175. To repeal section 683 of the Revised Code.

On motion, the house adjourned until Monday morning, 9 o'clock.

FIFTY-THIRD DAY.

MONDAY, February 28, 1876.

The house met pursuant to adjournment.

Prayer by the Rev. Mr. Wilson of the house.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullette, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Martin, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—74.

The journal of yesterday ~~was~~ read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Huey for two days, on account of sickness in his family.

Indefinite leave of absence was granted Mr. Jones of Pickens, on account of sickness in his family.

Indefinite leave of absence was granted Mr. Gilmer of Lawrence.

Mr. Price, from special committee, reported a substitute for the bill—

H. B. 479. To authorize the construction of a breakwater in the bay and harbor of Mobile.

The substitute was adopted, and the bill read the third time and passed—yeas 75, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Carson, Cashin, Chambers, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Matthews, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—75.

Mr. Woolf offered the following resolution, which, under the rules, lies over one day:

Resolved, That from and after the adoption of this resolution, debate on all questions be limited to ten minutes, and that hereafter this house will hold night sessions to consider local measures.

By leave, Mr. Tate, from the committee on agriculture and commerce, reported favorably to the senate bill—

S. B. 340. To incorporate the Alabama Sipsey River Navigation Company, and to prescribe its duties and regulate its powers;

Which bill was read the third time and passed—yeas 74, nays 2.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Boyd, Brewer, Baker, Brown, Carson, Chambers, Clements, Cook, Cockrell,

Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—74.

Those who voted nay are—

Messrs. Bennett and Bliss—2.

ENROLLED BILLS.

Mr. Leslie, from the committee on enrolled bills, reported correctly enrolled the following :

H. B. 274. To establish a general incorporation law for the purpose of organizing mining, manufacturing, immigration or business companies in this State.

SIGNING BILL BY THE SPEAKER.

The speaker, in the presence of the house, and immediately after the title had been publicly read, signed said bill.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
Montgomery, Feb. 26, 1876.

Mr. Speaker :

The Governor has approved the following bills, which originated in the house of representatives :

H. B. 226. An act to amend an act entitled an act to revise and amend an act to keep in each county of the State a proportionate share of the public school money, approved April 19, 1873.

H. B. 58. An act to authorize the publication of the laws of a general character.

Respectfully,

L. R. DAVIS,
Private Sec'y.

SPECIAL ORDER.

The house then proceeded to the consideration of the senate bill—

S. B. 48. To prescribe the manner in which the exemption of property from sale on execution, or other process of any court in this State, may be waived.

Mr. Betts moved to amend as follows:

In section 1, line 3, strike out the words "nor or may be," and insert "by the provisions of the constitution."

The amendment was adopted.

Mr. Herman moved to reconsider the vote adopting the amendment of Mr. Betts.

Mr. Blevins moved to lay the motion on the table.

Lost.

And the motion to reconsider was carried.

And the question recurring on the adoption of the amendment, it was lost.

Mr. Betts moved to amend as follows:

At the end of section first, insert "nor shall the provisions of this act apply to existing statutory exemptions."

On motion of Mr. Brewer, the further consideration of the bill was postponed, and made the special order for Wednesday next, immediately after the reading of the journal.

REPORT:

Mr. Betts, from special committee, reported favorably, with amendments, to the senate bill—

S. B. 391. To carry into effect the intention of the congress of the United States in its donation of a certain quantity of lands to the legislature of the State of Alabama, by the act of March 2, 1819, to be by said legislature held and administered for the use of a seminary of learning in said State.

Amend as follows:

1st. In section 8, insert at the end of said section the following, "and the trustees shall, each in the counties of their respective districts, be empowered to make the selection of the beneficiaries under the provisions of section 1017 of the Revised Code."

2d amendment—

After the word "education," in the 6th line of section 13, add "and board of regents."

3d amendment—

Amend by adding "section 1017" after "430," in section 13.

The amendments were severally adopted, and the bill read the third time and passed—yeas 64, nays 4.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barnett, Bar-ron, Beirne, Bennett, Betts, Bliss, Bonner, Brewer, Baker Brown, Cashin, Chambers, Clements, Cook, Coon, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Matthews. Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—64.

Those who voted nay are—

Messrs. Cockrell, Lewis, Witherspoon and Wynne—4.

REPORTS FROM STANDING COMMITTEES.

Mr. Beirne, from the judiciary committee, reported favor-ably to the bill—

H. B. 428. For the relief of clerks of the city and other criminal courts of this State;

Which bill was read the third time and passed—yeas 59, nays 10.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barnett, Beirne, Betts, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kimmey, Kirkland, Maples, Matthews, Price, Prowell, Purcell, Reese, Reid, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—59.

Those who voted nay are—

Messrs. Bennett, Blevins, Boyd, Brantley, Cashin, Cook, Cockrell, Gilmer of Montgomery, Locke and Martin—10.

Also, favorably to the bill—

H. B. 459. For the trial of issues of fact in chancery causes;

Which bill was read the third time and passed—yeas 64, nays 0.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Billups, Blevins, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gilmer of Montgomery, Grant, Greene of Jefferson, Harris of Chambers, Harris of Perry, Heaton, Herman, Holloway, Jenkins, Kimmey, Leslie, Lewis, Martin, Mathews, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, Straughn, Tate, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—64.

Also, favorably to the bill—

H. B. 464. To amend an act approved February 20, 1875, to amend an act to prescribe the time of holding the circuit courts in the tenth judicial circuit, approved March 14, 1872;

Which bill was read the third time and passed—yeas 63, nays 0.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Gilmer of Montgomery, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Matthews, Price, Prowell, Purcell, Reid, Rice, Ross, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—63.

Also, favorably to the bill—

H. B. 448. To provide for the keeping of dockets, in criminal cases, by justices' of the peace and notaries public;

Which bill was read the third time and passed—yeas 65, nays 8.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Gilmer of Montgomery, Gullett,

Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, McDuffie, Mitchell, Price, Prowell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, Straughn, Tate, Troup, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—65.

Those who voted nay are—

Messrs. Brown, Franklin, Hamilton, Herman, Locke, St. John, Townsend and Wharton—8.

Also, favorably to the bill—

H. B. 328. To provide for the partition of property where a part thereof lies in more than one county ;

Which bill was read the third time and passed—yeas 66, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Price, Prowell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—66.

Mr. Cashin voted nay.

SPECIAL ORDER.

On motion of Mr. Franklin, twelve o'clock having arrived, the house proceeded to the consideration of the special order for this hour, viz :

H. B. 306. To change and define the line between the counties of DeKalb and Cherokee ;

Was postponed and made the special order for to-morrow morning, immediately after the reading of the journal.

The next special order for this hour, viz., the bill—

H. B. 184. To regulate the sale of spirituous, vinous or malt liquors outside of the limits of incorporated cities, towns, and villages in this State ;

Was postponed and made the special order for Wednesday next, 12 m.

Mr. Beirne, from the judiciary committee, reported favorably to the bill—

H. B. 296. To provide for the election of justices' of the peace and constables, and to regulate their term of office ;

Which bill was read the third time and passed—yeas 66, nays 0.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Hamilton, Harris of Chambers, Harris of Dallas, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Price, Prowell, Purcell, Reese Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—66.

Also, favorably to the bill—

H. B. 309. To distribute to the federal judges and district attorneys copies of the Acts of the General Assembly, the Revised Code, and the Alabama Reports, the same as to the officers of the State ;

Which bill was read the third time and passed—yeas 62, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Brewer, Baker, Brown, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Gulledege, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Leslie, Lewis, Locke, Maples, Mathews, Mitchell, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—62.

Also, favorably to the bill—

H. B. 260. To protect the rights of claimants in suits for the recovery of personal property in specie ;

Which bill was read the third time and passed—yeas 63, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Brewer, Ba-

ker, Brown, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Jenkins, Jones of Russell, Leslie, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Reese, Reid, Ross, Rousseau, Sims, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—63.

Also, favorably to the bill—

H. B. 228. To place entries made by deceased executors, administrators, guardians, and trustees, prior to the passage of the act of 14th February, 1867, upon the same grounds as to competency, as such entries made subsequent to that date;

Which bill was read the third time and passed—yeas 59, nays 0.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Boyd, Brewer, Baker, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Hamilton, Harris of Dallas, Holloway, Jenkins, Jones of Russell, Kimmey, Lewis, Locke, Maples, Martin, Mathews, Prowell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stevens, St. John, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—59.

Also, favorably to the bill—

H. B. 350. To enable married women, whose husbands are insane or *non compos mentis*, to convey real estate;

Which bill was read the third time and passed—yeas 60, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bonner, Brewer, Cashin, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Holloway, Jenkins, Jones of Russell, Kimmey, Leslie, Locke, Maples, Martin, Matthews, Prowell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—60.

Also, favorably to the bill—

H. B. 367. To repeal an act to consolidate the fine and forfeiture fund of Perry county with the general fund of said county;

Which bill was read the third time and passed—yeas 63, nays 2.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Barnett, Barron, Bennett, Betts, Billups, Bonner, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Fielder, Franklin, Gibson, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—63.

Those who voted nay are—

Messrs. Boyd and Cockrell—2.

Also, favorably to the bill—

H. B. 293. To amend section 4345 of the Revised Code.

Mr. Mitchell moved to postpone the further consideration of the bill and make it the special order for Wednesday next, 11 a. m. Lost.

And the bill was read the third time and lost—yeas 33, nays 37.

Those who voted yea are—

Messrs. Andrews, Baldwin, Barron, Beirne, Blevins, Brewer, Brown, Cashin, Cook, Coon, Cockrell, Dillon, Gibson, Harris of Chambers, Harris of Perry, Jones of Russell, Kirkland, Leslie, Lewis, Maples, Mathews, Price, Prowell, Reese, Reid, Smith of Franklin, Stevens, Troup, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—33.

Those who voted nay are—

Messrs. Speaker, Aldridge, Bennett, Betts, Billups, Bonner, Baker, Clements, Crews, Davis, Edwards, Espy, Farriss, Fielder, Franklin, Grant, Greene of Jefferson, Gullledge, Hamilton, Heaton, Higgins, Holloway, Jenkins, Kimmey, Martin, Mitchell, Purcell, Rice, Ross, Rousseau, Stallworth, St. John, Straughn, Tate, Townsend, Wharton and Wood of Talladega—37.

Also, favorably to the bill—

H. B. 297. To fix the term of office of notaries public;

Which bill was read the third time and passed—yeas 60, nays 7.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Cashin, Clements, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Maples, Mathews, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—60.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Boyd, Baker, Cook and Martin—7.

Also, favorably to the bill—

H. B. 392. To provide for the use of copies of depositions and other papers in evidence, lost or destroyed;

Which bill was read the third time and passed—yeas 64, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Brewer, Baker, Brown, Cashin, Chambers, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Jenkins, Jones of Russell, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Reese, Reid, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Taladega, Woolf and Wynne—64.

Also, favorably to the bill—

H. B. 312. For the relief of James L. Pugh, and to pay him for services rendered the State as attorney.

The bill was read the third time.

Mr. Smith of Franklin moved to lay the bill on the table. Lost—yeas 33, nays 36.

Those who voted yea are—

Messrs. Aldridge, Baldwin, Bennett, Blevins, Boyd, Baker, Brown, Cashin, Cook, Cockrell, Franklin, Gilmer of Montgomery, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Higgins, Kirkland, Locke, Maples, Reese, Reid, Sims, Smith of Franklin, Stevens, St. John, Straughn,

Troup, Wharton, Wilson, Wood of Marengo, and Wood of Talladega—33.

Those who voted nay are—

Messrs. Speaker, Andrews, Barnett, Barron, Beirne, Betts, Billups, Brewer, Chambers, Clements, Coon, Crews, Dillon, Edwards, Espy, Gibson, Grant, Harris of Perry, Herman, Holloway, Jones of Russell, Kimmey, Leslie, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Rice, Ross, Rousseau, Tate, Witherspoon and Woolf—36.

On motion of Mr. Harris of Perry, the vote ordering the bill to a third reading was reconsidered.

Mr. Smith of Franklin moved to amend by striking out "one thousand dollars," and inserting in lieu thereof "five hundred dollars."

Mr. Chambers moved to lay the amendment on the table. Carried—yeas 40, nays 31.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barnett, Barron, Beirne, Bonner, Brewer, Cashin, Chambers, Clements, Cook, Coon, Crews, Dillon, Edwards, Espy, Farriss, Gibson, Grant, Harris of Perry, Herman, Holloway, Jenkins, Jones of Russell, Kimmey, Leslie, Locke, Mitchell, Price, Prowell, Purcell, Rice, Ross, Rousseau, Troup, Wharton, Witherspoon, Wood of Marengo, and Woolf—40.

Those who voted nay are—

Messrs. Aldridge, Bennett, Betts, Blevins, Boyd, Brown, Cockrell, Franklin, Gilmer of Montgomery, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Higgins, Lee, Lewis, Maples, Martin, Mathews, Reese, Reid, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Wilson, Wood of Talladega, and Wynne—31.

The bill was then read the third time and passed—yeas 45, nays 25.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Bonner, Brewer, Baker, Chambers, Clements, Coon, Crews, Dillon, Edwards, Espy, Farriss, Gibson, Grant, Harris of Perry, Herman, Holloway, Jenkins, Jones of Russell, Kimmey, Leslie, Lewis, Locke, Martin, Mathews, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Stallworth, Troup, Wharton, Wood of Marengo, and Woolf—45.

Those who voted nay are—

Messrs. Aldridge, Blevins, Boyd, Brown, Cockrell, Franklin, Gilmer of Montgomery, Greene of Jefferson, Gullledge, Ham-

ilton, Harris of Chambers, Heaton, Higgins, Lee, Maples, Smith of Franklin, Stevens, St. John. Straughn, Tate, Townsend, Wilson, Witherspoon, Wood of Talladega, and Wynne—25.

Also, from same committee, reported a substitute for the bill—

H. B. 205. To protect parties occupying or cultivating lands under a common fence from trespasses of stock.

The substitute was adopted, and the bill read the third time and passed—yeas 62, nays 8.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Blevins, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cook, Coon, Crews, Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Price, Prowell, Purcell, Rice, Ross, Rousseau, Stallworth, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Woolf—62.

Those who voted nay are—

Messrs. Boyd, Cockrell, Harris of Perry, Reese, Reid, Smith of Franklin, Wood of Marengo, and Wynne—8.

Also, favorably to the bill—

H. B. 301. To amend an act to create a lien in favor of the owners of stallions or jacks for the amount of the season for such stallion or jack ;

Which bill was read the third time and passed—yeas 38, nays 32.

Those who voted yea are—

Messrs. Speaker, Barnett, Barron, Beirne, Betts, Bonner, Brewer, Baker, Chambers, Clements, Crews, Dillon, Edwards, Espy, Fielder, Gibson, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Jenkins, Jones of Russell, Lee, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Rice, Stallworth, Straughn, Wilson, Wood of Marengo, and Woolf—38.

Those who voted nay are—

Messrs. Aldridge, Andrews, Baldwin, Bennett, Blevins, Boyd, Cashin, Cook, Farriss, Franklin, Gilmer of Montgomery, Greene of Jefferson, Holloway, Kimmey, Kirkland, Lewis, Locke, Martin, Mathews, Reese, Reid, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Tate, Townsend.

Troup, Wharton, Witherspoon, and Wood of Talladega—32,

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 28, 1876.

Mr. Speaker :

The senate has originated and passed the following bills :

S. B. 395. To authorize the Auditor to draw a warrant on the State Treasurer in favor of Mrs. Elvira F. Chilton for amount of State taxes, for the year 1873, overpaid by her, and authorize payment of such warrant.

S. B. 402. To authorize the court of county commissioners of the counties of Lee and Tallapoosa, to compromise and settle the bonded indebtedness of said counties, issued in payment of stock subscribed by said counties to railroad companies.

Respectfully,
S. B. BREWER,
Sec'y of Senate.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT, }
February 28, 1876. }

Mr. Speaker—

The Governor has approved the following bills which originated in the house of representatives :

H. B. 274. To establish a general incorporation law, for the purpose of organizing mining, manufacturing, immigration or industrial companies in this State.

Respectfully,
L. R. DAVIS,
Private Sec'y.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
February 28, 1876.

Mr. Speaker :

The senate has originated and passed the following bills :
S. B. 400. To amend section 15 of an act to authorize the

mayor and aldermen of the town of Gadsden to lay off the limits of said town into five wards, define the number and mode of selection of officers, their powers and duties, with authority to increase or diminish the corporate limits of said town by a majority vote of the legally authorized voters of said town, and for other purposes in said act mentioned.

s. B. 361. To provide for the payment of the commissioners appointed under the act approved December 17, 1874, to liquidate and adjust all claims against the State of Alabama, arising from bonds issued or endorsed in the name of the State.

And concurs in the house amendments to the bill—

s. B. 391. To carry into effect the intentions of the congress of the United States, in its donation of a certain quantity of lands to the legislature of the State of Alabama, by the act of March 2d, 1819, to be by said legislature held and administered for the use of a seminary of learning in said State.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The senate bills—

s. B. 395. To authorize the Auditor to draw his warrant on the State Treasurer in favor of Mrs. Elvira F. Chilton for amount of State taxes, for the year 1873, overpaid by her, and authorizing payment of such warrant.

s. B. 402. To authorize the court of county commissioners of the counties of Lee and Tallapoosa, to compromise and settle the bonded indebtedness of said counties, issued in payment of stock subscribed by said counties to railroad companies;

s. B. 400. To amend section 15 of an act to authorize the mayor and aldermen of the town of Gadsden to lay off the limits of said town into five wards, define the number and mode of selection of officers, their powers and duties, with authority to increase or diminish the corporate limits of said town by a majority vote of the legally authorized voters of said town, and for other purposes in said act mentioned.

s. B. 361. To provide for the payment of the commissioners appointed under an act approved December 17th, 1874, to liquidate and adjust all claims against the State of

Alabama, arising from bonds issued or endorsed in the name of the State;

Were severally read once, and ordered to a second reading on to-morrow.

By leave, Mr. Betts offered the following joint resolution, which was adopted:

Resolved by the house of representatives, (the senate concurring,) That the collection of the tax upon license, as now provided by law, be suspended until the adjournment of this general assembly, and the provision of the law requiring probate judges to make monthly reports of the moneys collected from license, is hereby suspended until the first day of April next.

By leave, Mr. Straughn introduced joint memorial—

H. B. 480. To the Congress of the United States, asking that in the revival or renewal of the grant of lands made to the State of Alabama, to aid in the construction of the Mobile and Girard Railroad, that the said railroad company shall be required to take land in the even numbered sections in lieu of lands occupied by settlers on the odd numbered sections within the limits of said grant.

The memorial was adopted.

On motion of Mr. Price, the house took a recess until 7½ p. m.

— EVENING SESSION.

House met pursuant to adjournment.

On motion of Mr. Herman, the regular order of business this evening was suspended, to allow the standing committees to report local bills.

EDUCATION.

Mr. Clements, from the committee on education, reported favorably to the senate bill—

s. B. 272. To ratify the agreement made by John M. McKleroy, superintendent of public instruction, to compromise the liability of the sureties on the official bond of William J. Gilmore, late superintendent of education of Choctaw county;

Which bill was read the third time and passed—yeas 50, nays 10.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Betts, Billups, Bonner, Baker, Brown, Clements, Coon, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Grant, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Maples, Martin, Mitchell, Price, Prowell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Troup, Wilson, Wood of Talladega and Woolf—50.

Those who voted nay are—

Messrs. Allen, Blevins, Boyd, Cashin, Cook, Greene of Jefferson, Locke, Mathews, Wood of Marengo and Wynne—10.

Also, favorably to the bill—

H. B. 469. To transfer certain school furniture to the State normal school at Florence;

Which bill was read the third time and passed—yeas 51, nays 11.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Betts, Billups, Bonner, Boyd, Baker, Brown, Cashin, Clements, Dillon, Edwards, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Troup, Wilson, Wood of Marengo, Wood of Talladega and Woolf—51.

Those who voted nay are—

Messrs. Allen, Blevins, Cook, Coon, Lee, Locke, Martin, Mathews, Reese, Witherspoon and Wynne—11.

Mr. Tate moved to reconsider the vote by which the regular order of business was suspended for this evening's session. Carried.

JUDICIARY COMMITTEE.

Mr. Bierne, from the judiciary committee, reported favorably to the bill—

H. B. 393. To amend section 2961 of the Revised Code;

Which bill was read the third time and passed—yeas 56, nays 5.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Baker, Brown, Clements,

Coon, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Martin, Mitchell, Price, Prowell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wilson, Wood of Marengo, Wood of Talladega and Woolf—56.

Those who voted nay are—

Messrs. Allen, Cashin, Cook, Lee and Mathews—5.

Also, favorably to the bill—

H. B. 287. To amend section 3633 of the Revised Code ;

Which bill was read the third time and passed—yeas 60, nays none.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Baker, Brown, Cashin, Clements, Cook, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, Mathews Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega and Woolf—60.

Also, favorably to the bill—

H. B. 292. To prevent clerks, deputy clerks and employees from practicing law in the courts in which they are clerks, deputy clerks or employees ;

Which bill was read the third time and passed—yeas 61, nays 2.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Barnett, Barron, Beirne, Betts, Billups, Bonner, Boyd, Brewer, Baker, Brown, Cashin, Clements, Cook, Coon, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Maples, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wilson, Witherspoon, Wood of Marengo and Woolf—61.

Those who voted nay are—

Messrs. Locke and Wood of Talladega—2.

Also, favorably to the bill—

H. B. 291. To prevent the judges of probate, county treasurer and tax collector from acting as agents, clerks, or deputy clerks for one another.

Mr. Wilson moved to lay the bill on the table. Carried.

Mr. Blevins moved to reconsider the vote just taken, and to lay that motion on the table. Carried.

Mr. Beirne, in behalf of a majority of the committee on the judiciary, reported favorably to the bill—

H. B. 352. To authorize the examination of persons, on trial on indictments for misdemeanors or felonies, as witnesses.

Mr. Dillon moved to lay the bill on the table. Carried.

On motion of Mr. Tate, the chairmen of the committees were instructed to report only on house bills during the remainder of this evening's session.

Mr. Beirne, from the judiciary committee, reported adversely to the bill—

H. B. 455. To authorize the Governor of Alabama to extend pardon and grant amnesty to Dock Mangum, now under indictment for murder in Lauderdale county;

Which was concurred in.

Mr. Beirne, from same committee, reported favorably to the bill—

H. B. 450. To prevent county officials from being interested in county contracts;

Which bill was read the third time and passed—yeas 49, nays 14.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Coon, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Jones of Pickens, Jones of Russell, Kimmey, Locke, Maples, Mitchell, Price, Prowell, Purcell, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—49.

Those who voted nay are—

Messrs. Allen, Bennett, Blevins, Boyd, Baker, Cashin, Cook, Lee, Martin, Mathews, Reese, Smith of Bullock, Stribling and Witherspoon—14.

By leave, Mr. Maples, from the committee on temperance, reported favorably to the bill—

H. B. 378. To repeal an act to prohibit any person or persons from giving away, selling or offering for sale any vinous or spirituous liquors within three miles of Limeville Baptist Church, or within one mile of Hamburg, in Perry county, as relates to the prohibition within three miles of Limeville Baptist Church, in Shelby county;

Which bill was read the third time and passed—yeas 53, nays 6.

Those who voted yea are—

Messrs. Allen, Aldridge, Barnett, Barron, Beirne, Betts, Blevins, Bonner, Brewer, Baker, Brown, Chambers, Clements, Coon, Dillon, Espy, Farriss, Fielder, Gibson, Greene of Jefferson, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Troup, Wilson, Wood of Marengo, and Woolf—53.

Those who voted nay are—

Messrs. Bennett, Billups, Boyd, Edwards, Tate and Witherspoon—6.

Also, favorably to the bill—

H. B. 473. To amend section one of an act to prohibit the sale or giving away of spirituous or vinous liquors in certain cases, approved 15th April, 1873.

Mr. Blevins moved to lay the bill on the table. Carried.

On motion of Mr. Rice, the house adjourned until tomorrow morning, 9 o'clock.

FIFTY-FOURTH DAY.

TUESDAY, February 29, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Stringfellow.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Bozeman, Brewer, Baker, Brown, Clements, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris

of Perry, Heaton, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rosseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne--73.

Journal of yesterday was read and approved.

BILLS ON SECOND READING.

The senate bill—

s. B. 361. To provide for the payment of the commissioners appointed under the act approved December 17, 1874, to liquidate and adjust all claims against the State of Alabama, arising from bonds issued or endorsed in the name of the State;

Was read the second time and referred to the committee on ways and means, with leave to report at pleasure.

The senate bill—

s. B. 395. To authorize the Auditor to draw his warrant on the State Treasurer in favor of Mrs. Elvira F. Chilton for amount of State taxes, for the year 1873, overpaid by her, and authorizing payment of such warrant;

Was read the second time and referred to the committee on ways and means.

The senate bill—

s. B. 402. To authorize the court of county commissioners of the counties of Lee and Tallapoosa, to compromise and settle the bonded indebtedness of said counties, issued in payment of stock subscribed by said counties to railroad companies;

Was read the second time and referred to a special committee, composed of the representatives from Lee and Tallapoosa counties.

The senate bill—

s. B. 400. To amend section 15 of an act to authorize the mayor and aldermen of the town of Gadsden to lay off the limits of said town into five wards, define the number and mode of selection of officers, their powers and duties, with authority to increase or diminish the corporate limits of said town by a majority vote of the legally authorized voters of said town, and for other purposes in said act mentioned;

Was read the second time and referred to the committee on corporations.

SPECIAL ORDER.

The house next proceeded to the consideration of the special order for this hour, viz., the bill—

H. B. 306. To change and define the line between the counties of DeKalb and Cherokee.

The bill was read the third time and passed, two-thirds of the house voting for its passage—yeas 62, nays 20.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bennett, Blevins, Bliss, Bonner, Boyd, Bozeman, Baker, Brantley, Carson, Cashin, Cook, Coon, Crews, Davis, Dillon, Farriss, Franklin, Gibson, Hamilton, Harris of Dallas, Heaton, Higgins, Holloway, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Maples, Martin, Mathews, McDuffie, Mitchell, Prowell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Townsend, Wharton, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—62.

Those who voted nay are—

Messrs. Billups, Brewer, Brown, Chambers, Clements, Cockrell, Edwards, Espy, Fielder, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Chambers, Harris of Perry, Leslie, Locke, Price, Tate and Troup—20.

Mr. Price moved to reconsider the vote by which the bill—

H. B. 473. To amend section one of an act to prohibit the sale, or giving away of spirituous or vinous liquors, in certain cases, approved April 15, 1873;

Was laid on the table.

The motion carried, and the bill was read the third time and passed—yeas 46, nays 34.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Betts, Bonner, Bozeman, Chambers, Crews, Davis, Dillon, Espy, Franklin, Grant, Greene of Lee, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Maples, Mitchell, Price, Purcell, Rice, Ross, Rousseau, Sims, Stallworth, Stevens, St. John, Straughn, Stribling, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—46.

Those who voted nay are—

Messrs. Allen, Bennett, Billups, Blevins, Bliss, Boyd, Brantley, Brown, Carson, Cashin, Clements, Cook, Cockrell, Edwards, Farriss, Gibson, Greene of Jefferson, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Mathews, McDuffie, Prowell, Reese, Reid, Smith of Bullock, Smith of Franklin, Townsend and Wynne—34.

On motion of Mr. Barnett, the consideration of the amendments of the senate to the bill—

H. B. 341. To establish a revenue code for the State of Alabama;

Was made the special order for to-morrow morning, immediately after the journal is read.

Mr. Price, from special committee, reported favorably to the bill—

H. B. 472. To incorporate the Whistler Industrial Co-operative Association No 1;

Which bill was read the third time and passed—yeas 70, nays 4.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Betts, Billups, Blevins, Bonner, Brewer, Baker, Brown, Cook, Coon, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Lee, Leslie, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Price, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—70.

Those who voted nay are—

Messrs. Beirne, Bennett, Brantley and Cockrell—4.

By leave, Mr. Stallworth, from the committee on corporations, reported favorably to the senate bill—

S. B. 358. To amend the act to incorporate the city of Tuscaloosa, by additional section in reference to slaughter houses;

Which bill was read the third time and passed—yeas 74, nays 0.

Messrs. Speaker, Allen, Aldridge, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner,

Boyd, Brewer, Baker, Brantley, Brown, Carson, Chambers, Clements, Cook, Coon, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Lewis, Locke, Maples, Mitchell, Price, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, Straughn, Stribling, Tate, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—73.

Also, from same committee, favorably to the senate bill—

s. B. 341. To re-enact an act therein mentioned and set out as an act to re-enact the laws incorporating the town of Oxford, in Calhoun county, and to give the corporate authorities of said town additional powers;

Which bill was read the third time and passed—yeas 67, nays 11.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Bliss, Bonner, Bozeman, Brewer, Baker, Brown, Carson, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Lawrence, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Lewis, Locke, Maples, Mitchell, Price, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Stribling, Tate, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—67.

Those who voted nay are—

Messrs. Allen, Blevins, Boyd, Brantley, Cashin, Cook, Cockrell, Harris of Dallas, Lee, Martin, and Witherspoon—11.

Also, favorably to the senate bill—

s. B. 283. To amend the charter of the city of Troy;

Which bill was read the third time and passed—yeas 59, nays 15.

Those who voted yea are—

Messrs. Speaker, Andrews, Barnett, Beirne, Betts, Blevins, Bonner, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Perry,

Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Price, Purcell, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Woolf—59.

Those who voted nay are—

Messrs. Allen, Baldwin, Bennett, Bliss, Boyd, Cook, Cockrell, Harris of Dallas, Lee, Locke, Martin, Mathews, Reese, Sims, and Wood of Marengo—15.

The house next proceeded to the consideration of the resolution offered by Mr. Woolf, on yesterday.

Mr. Woolf offered the following as a substitute:

Resolved, That from and after the adoption of this resolution debate on all questions before the house be limited to ten minutes.

Resolved, That after this day this house will hold night sessions to consider reports from committees.

Mr. Mathews moved to lay the resolution on the table.
Lost.

Mr. Herman moved to amend by adding the following after the word "minutes," "to each member."

Mr. Mathews moved to lay the amendment on the table.
Lost.

Mr. Beirne moved as a substitute, the following:

"And debate shall be limited to five minutes to each member;"

Which, on motion of Mr. Mathews, was laid on the table—yeas 44, nays 34.

Those who voted yea are—

Messrs. Speaker, Andrews, Barnett, Barron, Bennett, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Carson, Cashin, Cook, Coon, Cockrell, Crews, Edwards, Harris of Dallas, Harris of Perry, Holloway, Huey, Jenkins, Lee, Leslie, Lewis, Locke, Martin, Mathews, Purcell, Reese, Reid, Ross, Rousseau, Smith of Franklin, Stevens, Straughn, Stribling, Tate, Wharton, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—44.

Those who voted nay are—

Messrs. Aldridge, Beirne, Betts, Billups, Bozeman, Brown, Chambers, Clements, Davis, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Gullede, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Maples, Rice, Sims, St. John, Townsend, Troup and Wilson—34.

The amendment of Mr. Herman was adopted, and the substitute, as amended, was adopted.

Mr. Smith of Franklin offered the following resolution :

Whereas, as this day has been declared a legal holiday, and inasmuch as the house has worked faithfully in the public interest since 28th December last, and in obedience to the orders of the queen, who reigns supreme to-day,

Therefore be it resolved, That this house do adjourn at 12 o'clock m. to-day, until to-morrow morning at 9 o'clock.

Mr. Hamilton moved to lay the resolution on the table. Lost.

Mr. Clements moved to amend by striking out "12 m," and insert "1 p. m."

Mr. Smith of Franklin moved to lay the amendment on the table. Carried.

Mr. Chambers moved to amend by striking out the preamble. Carried.

Mr. Beirne moved to lay the resolution on the table. Carried—Yeas 44, nays 41.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Bonner, Brewer, Brown, Clements, Crews, Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Maples, Martin, Mitchell, Price, Purcell, Ross, Rousseau, Smith of Bullock, Stallworth, Stevens, St. John, Troup, Wharton, and Woolf—44.

Those who voted nay are—

Messrs. Barron, Bennett, Blevins, Boyd, Bozeman, Baker, Carson, Cashin, Chambers, Cook, Cockrell, Davis, Fielder, Gullledge, Harris of Dallas, Harris of Perry, Herman, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Mathews, McDuffie, Prowell, Reese, Reid, Rice, Sims, Smith of Franklin, Straughn, Stribling, Tate, Townsend, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—41.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

February 29, 1876.

Mr. Speaker :

The senate has amended, by way of substitute, and passed house bill—

H. B. 122. To fix the time for holding the circuit courts in the ninth (9th) judicial circuit.

And has passed the following house bills:

H. B. 35. To repeal section 3519 of the Revised Code;

H. B. 356. To make all the general laws now existing, or which may be hereafter enacted in reference to the several courts of county commissioners in this State, applicable to all other county courts of like jurisdiction;

H. B. 117. To require circuit judges more promptly to dispose of all business in the circuit courts.

And has originated and passed the following bills:

S. B. 243. To regulate the trial of misdemeanors in Lauderdale county;

S. B. 396. To prescribe the oath of officers to be taken by the mayor and aldermen of the various cities in the State;

S. B. 371. To require publication of notices that application will be made to the Governor to pardon convicts, or to remit fines and forfeitures.

S. B. 255. To amend section 1365 of the Revised Code.

S. B. 380. To pay Joseph Baumer for articles furnished the senate chamber.

S. B. 112. To fix the compensation of the superintendent of education.

The senate has adopted the house joint resolution, suspending the collection of the tax upon licenses, as now provided by law, until after the adjournment of the present session of the general assembly, and suspending the provision of the law requiring probate judges to make monthly reports of the moneys collected from licenses until the first day of April next.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following as correctly enrolled:

H. B. 35. To repeal section 3519 of the Revised Code.

H. B. 117. To require circuit judges more promptly to dispose of all business in the circuit courts.

H. B. 356. To make all the general laws now existing, or which may hereafter be enacted, in reference to the several courts of county commissioners in this State, applicable to all other county courts of like jurisdiction.

SIGNING BILLS.

And the Speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills, and also the senate bill—

S. B. 210. To amend section ninety-one of an act to regulate elections in the State of Alabama, approved March 3d, 1875.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary, Mr. Davis :

EXECUTIVE DEPARTMENT,
February 29, 1876.

Mr. Speaker :

The Governor has approved the following bills, which originated in the house of representatives :

H. B. 356. To make all the general laws now existing, or which may be hereafter enacted, in reference to the several courts of county commissioners in this State, applicable to all other county courts of like jurisdiction.

H. B. 117. To require circuit judges more promptly to dispose of all business in the circuit courts.

H. B. 35. To repeal section 3519 of the Revised Code.

Respectfully,

L. R. DAVIS,
Private Secretary.

By leave, Mr. Barnett, from the committee on ways and means, reported a substitute for the bill—

H. B. 467. For the relief of F. S. Ulmer, late tax collector of Choctaw county.

The substitute was adopted.

Mr. Bonner moved to amend by striking out "five hundred dollars" and inserting "one hundred dollars."

Which, on motion of Mr. Stribling, was laid on the table.

The bill was then read the third time and passed—yeas 57, nays 2.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Beirne, Bennett, Betts, Blevins, Boyd, Brewer, Baker, Brown, Carson, Cashin, Chambers, Clements, Crews, Dillon, Edwards, Espy, Farriss, Gibson, Greene of Lee, Hamilton,

Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Price, Purcell, Rice, Ross, Rousseau, Stallworth, St. John, Straughn, Stribling, Tate, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—57.

Those who voted nay are—

Messrs Billups and Bonner—2.

On motion of Mr. Rice, the house adjourned until tomorrow morning, 9 o'clock.

FIFTY-FIFTH DAY.

WEDNESDAY, March 1, 1876.

The house met pursuant to adjournment.

Prayer by the Rev. Dr. Stringfellow.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Carson, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—77.

The journal of yesterday was read and approved.

Mr. Anderson (Mr. Greene of Lee in the chair) moved to reconsider the vote by which the resolution limiting debate was adopted yesterday;

Carried.

Mr. Anderson moved to strike out that part of the resolution which limits debate;

Carried—yeas 47, nays 31.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barnett, Barron, Ben-

nett, Billups, Blevins, Bliss, Boyd, Baker, Carson, Cashin, Cook, Coon, Crews, Davis, Dillon, Espy, Greene of Lee, Gulledge, Harris of Dallas, Harris of Perry, Holloway, Jenkins, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Martin, Reese, Reid, Rice, Ross, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, Stribling, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—47.

Those who voted nay are—

Messrs. Aldridge, Beirne, Bonner, Brewer, Brown, Chambers, Clements, Edwards, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Hamilton, Harris of Chambers, Heaton, Huey, Jones of Pickens, Jones of Russell, Maples, Price, Prowell, Purcell, Rousseau, St. John, Townsend, Troup, Wharton and Woolf—31.

And the resolution, as amended, was adopted.

By leave, Mr. Crews introduced a bill (with evidence of publication of notice, &c.)

H. B. 481. To amend the city charter of Eufaula;

Which was read once and ordered to a second reading on to-morrow.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Allen for the remainder of the session.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the following senate bills:

S. B. 358. To amend the act to incorporate the city of Tuscaloosa, by the addition of sections in reference to slaughter houses.

S. B. 340. To incorporate the Alabama Sipsey River Navigation Company, and to prescribe its duties and regulate its powers.

S. B. 283. To amend the charter of the city of Troy.

S. B. 344. To re-enact an act therein mentioned and set out as "an act to re-enact the laws incorporating the town of Oxford, in Calhoun county, and to give the corporate authorities of said town additional powers."

S. B. 272. To ratify the agreement made by John M. McKleroy, superintendent of public instruction, to compromise the liability of the sureties on the official bond of William J.

Gilmore, late superintendent of education of Choctaw county.
 S. B. 391. To carry into effect the intention of the congress of the United States in its donation of a certain quantity of lands to the legislature of the State of Alabama, by the act of March 2, 1819, to be by said legislature held and administered for the use of a seminary of learning in said State.

SPECIAL ORDER.

This being the hour set for the consideration of the amendments of the senate to the bill—

H. B. 341. To establish a revenue code for the State of Alabama;

Mr. Barnett, from the committee on ways and means, to which the said amendments had been referred, reported that the committee had numbered (for identification) the senate amendments from 1 to 27 inclusive, and that the committee recommended concurrence by the house in the amendments numbered 3, 4, 5, 6, 7, 11, 12, 15, 17, 18, 19, 24.

And non-concurrence in the amendments numbered 1, 2, 8, 9, 10, 13, 14, 16, 20, 21, 22, 23, 27.

And also reported an amendment for numbers 25 and 26, by way of a substitute for section 4, chapter xi.

The amendments of the senate, with the number of the same, as numbered by the committee, are as follows:

No. 1. Strike out all after the word "institution," in subdivision 3, section 1, chapter 2.

No. 2. Add to the 5th subdivision, section 1, chapter 2, the words "and the property of widows and orphans to the value of five hundred dollars, whose estates do not exceed in value three thousand dollars, to the exemption hereinafter provided.

No. 3. Add after the word "poultry," in 11th line of subdivision 8, section 1, chapter 2, the words "all corn, provisions and supplies on hand for the current year, for the use of the family and the making of the crop."

No. 4. Insert the words "for profit" after "laborers," in 5th line of subdivision 4, section 4, chapter 3.

No. 5. Add to subdivision 11, section 4, chapter 3, the words "and such other bonds as are not by law taxable."

No. 6. Add to subdivision 1, section 5, chapter 3, the words "provided that on sales of goods, wares, merchandize and fruits by cargo, the rate of taxation shall be one-eighth of one per cent."

No. 7. Insert after "valuation," in 16th line, section 7, chapter 4, the words "and in making such valuation, said board shall take into consideration and have due regard to the gross income of said railroads."

No. 8. Substitute the word "valuation" for "equalization," in last line, same section.

No. 9. Substitute for the word "first," in 5th line, section 9, chapter 4, the word "twentieth."

No. 10. Amend chapter 4, section 10, line 2. Insert after word "telegraph," the word "express."

No. 11. Add to section 9, chapter 5, "but if the assessor shall assess any lands to owner unknown, when the same are occupied by the owner or his tenant, he shall forfeit the sum of one hundred dollars, to be recovered in any court of competent jurisdiction, one-half for the use of the county, the other half for the use of any person who may sue for the same."

No. 12. Substitute for the word "first," in 11th line of section 12, chapter 5, the word "twentieth."

No. 13. Substitute for section 14.

No. 14. Amend chapter 5, section 15, line 4. Strike out word "fifty" and insert "twenty-five."

No. 15. Amend chapter 6, section 9, line 43. Strike out all after the word "services."

No. 16. Substitute "twenty-five" for "fifty," in 4th line of section 21, chapter 6: and "fifty cents" for "one dollar," in 6th line of same section.

No. 17. Amend section 15 of chapter 8, 5th and 6th lines, by striking out the words "every person whomsoever," and insert in lieu thereof the words "of the person or persons whose duty it was to pay such taxes."

No. 18. Strike out in section 6, chapter 9, the word "first," in line 2, and insert "twentieth;" also strike out all after the word "license," in line 8th.

No. 19. Strike out in tenth line of subdivision three, section 7, chapter 9, the words "or in any way dispose of or permit to be taken;" in line 12th substitute the word "and" for "or," after "quart."

No. 20. Substitute "one hundred" for "fifty," in subdivision 5, section 7, chapter 9.

No. 21. Amend subdivision 18, section 7, chapter 9, by striking out the word "fifty," where it occurs, and insert in lieu thereof the word "twenty."

No. 22. Substitute for section 9, chapter 9.

No. 23. Strike out in section one, chapter ten, in line four,

the word "Montgomery," and insert the words "their residence."

No. 24. Add at the end of section two, chapter ten, the words "and the prosecution therefor may be commenced at any time within six years from the time of such conversion."

No. 25. Insert the word "former," before the word "revenue," in the 12th line of section 4, chapter 11.

No. 26. Add after the word "suits," in line 12 of section 4, chapter 11, the words "or which may be commenced hereafter."

No. 27. Additional section, as section 7, to chapter 11.

The house then proceeded to the consideration of the amendments in which the committee recommended concurrence. After considering the same *seriatim*, and adopting the amendment reported by the committee for numbers 25 and 26, it being a substitute for section 4, chapter 11, the house concurred in the amendments numbered 3, 4, 5, 6, 7, 12, 15, 17, 18 and 24—and numbers 25 and 26 as amended—by the following vote:

Yeas 62, nays 15.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, McDuffie, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wood of Talladega, Woolf and Wynne—62.

Those who voted nay are—

Messrs. Bennett, Blevins, Bliss, Boyd, Brantley, Cook, Coon, Cockrell, Fagan, Gilmer of Montgomery, Lee, Lewis, Locke, Martin and Wood of Marengo—15.

The house refused to concur in the amendments numbered 1, 2, 8, 9, 10, 11, 13, 14, 16, 19, 20, 21, 22, 23, and 27, by the following vote:

Yeas 5, nays 60.

Those who voted yea are—

Messrs. Boyd, Lewis, Wood of Marengo and Wynne—4.

Those who voted nay are—

Messrs. Speaker, Barnett, Beirne, Betts, Billups, Bonner, Brewer, Baker, Brantley, Brown, Carson, Chambers, Clem-

ents, Cook, Coon, Davis, Dillon, Edwards, Espy, Fagan, Farris, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, St. John, Straughn, Townsend, Troup, Wood of Talladega and Woolf—60.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 1, 1876.

Mr. Speaker :

The senate has passed the following house bills ;

- H. B. 439. To amend section 1050 of the Revised Code.
- H. B. 440. To amend section 1053 of the Revised Code.
- H. B. 441. To amend section 1054 of the Revised Code.
- H. B. 442. To amend section 1866 of the Revised Code.
- H. B. 443. To amend section one of an act for the support of the Alabama insane hospital, approved 16th of February, 1871.

And has originated and passed the following bills :

- s. B. 341. Authorizing an election to be held in Clay county for the permanent location of the county seat of said county.
- s. B. 381. To amend section ten of an act to establish a new charter for the town of Union Springs, Bullock county, Alabama.

And ordered the last named bill to be sent forthwith to the house without engrossment.

Respectfully,

S. B. BREWER,
Secretary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 1, 1876.

Mr. Speaker :

The senate adheres to its amendment to the house bill—

- H. B. 270. To provide for the impeachment and removal from office of the officers mentioned in sections 2 and 3, of article 7, of the constitution of Alabama ;

And asks for a committee of conference to be appointed, consisting of two from the senate and three from the house.

Committee on part of the senate—Messrs. Hamilton and Martin of Tuscaloosa.

The senate adheres to its amendment to the house bill—

H. B. 49. To arrange the courts by districts in the southern chancery division ;

And asks for a committee of conference, consisting of three on part of the senate and five on part of the house.

Committee on part of the senate—Messrs. Carmichael, Parks and Martin of Conecuh.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

SPECIAL ORDER.

The hour of twelve o'clock having arrived, the house proceeded to the consideration of the senate bill—

S. B. 48. To prescribe the manner in which exemption of property from sale on execution, or other process of any court in this State, may be waived ;

The question pending being the amendment offered by Mr. Betts.

The amendment was lost, and the bill was ordered to a third reading.

On motion of Mr. Chambers, the vote ordering the bill to a third reading was reconsidered.

Mr. Holloway moved to amend by striking out the proviso in section one, commencing with the word "provided."

Adopted.

Mr. Greene of Jefferson moved to amend by additional section, as follows :

"Be it further enacted, That the said waiver shall have the force and effect of a lien or mortgage."

On motion of Mr. Dillon, the amendment was laid on the table.

Mr. Higgins moved to amend by additional section, as follows :

"Be it further enacted, That any person may go before the probate judge and make a general waiver to all exemptions, either constitutional or statutory, and such a waiver shall operate in favor of creditors, where the debt has been created since such waiver."

On motion of Mr. Beirne, the amendment was laid on the table;

And the bill was read the third time.

Mr. Lewis moved to indefinitely postpone the further consideration of the bill. Lost, and the bill passed—yeas 45, nays 29.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Davis, Dillon, Espy, Fielder, Gibson, Greene of Lee, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Ross, Rousseau, Smith of Franklin, Stallworth, St. John, Stribling, Tate, Troup, Wilson and Woolf—45.

Those who voted nay are—

Messrs. Baldwin, Bennett, Betts, Blevins, Bliss, Boyd, Cashin, Cook, Coon, Edwards, Fagan, Farriss, Franklin, Gilmer of Montgomery, Greene of Jefferson, Gulledge, Harris of Perry, Lewis, Locke, Martin, Mathews, Reese, Reid, Rice, Smith of Bullock, Townsend, Witherspoon, Wood of Marengo and Wynne—29.

By leave, the following bills were introduced:

By Mr. Betts—

H. B. 482. To regulate taxation upon express companies;

By Mr. Mitchell—

H. B. 483. To authorize the corporate authorities of the city of Montgomery to levy and collect a tax upon personal property;

Which bills were severally read once, and ordered to a second reading on to-morrow.

Mr. Blevins moved to take a recess until 7½ o'clock. Lost.

SENATE BILLS ON FIRST READING.

The senate bills—

S. B. 381. To amend section ten of an act to establish a new charter for the town of Union Springs, Bullock county, Alabama;

S. B. 112. To fix the compensation of the Superintendent of Education.

S. B. 380. To pay Jos. Baumer for articles furnished the senate chamber.

S. B. 255. To amend section 1365 of the Revised Code.

s. B. 371. To require publication of notice that application will be made to the Governor to pardon convicts or to remit fines and forfeitures.

s. B. 396. To prescribe the oath of office to be taken by the mayor and aldermen of the various cities in this State.

s. B. 243. To regulate the trial of misdemeanors in Lauderdale county.

s. B. 341. Authorizing an election to be held in Clay county for the permanent location of the county seat of said county ;

Were severally read once and ordered to a second reading on to-morrow.

SECOND SPECIAL ORDER.

The house next proceeded to the consideration of the substitute reported by the committee on temperance for the bill—
H. B. 184. To regulate the sale of spirituous or vinous liquors in Alabama.

Mr. Price moved to amend by adding the following :

"Provided further, that the provisions of this act shall not apply to any license obtained before the passage of this act."
Adopted.

Mr. Blevins moved to lay the bill on the table. Lost.

Mr. Ross moved to amend by exempting the county of Talapoosa from the operations of this act.

On motion of Mr. Davis, the bill and amendment were laid on the table—yeas 41, nays 21.

Those who voted yea are—

Messrs. Aldridge, Baldwin, Bennett, Boyd, Cashin, Cook, Coon, Cockrell, Davis, Fagan, Farriss, Gilmer of Montgomery, Hamilton, Harris of Chambers, Heaton, Holloway, Lee, Leslie, Lewis, Locke, Martin, Mathews, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, St. John, Straughn, Tate, Townsend, Witherspoon, Wood of Marengo, Wood of Talladega Woolf and Wynne—41.

Those who voted nay are—

Messrs. Speaker, Barnett, Brown, Chambers, Dillon, Edwards, Espy, Franklin, Gibson, Harris of Perry, Higgins, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Maples, Stribling, Troup and Wilson—21.

On motion of Mr. Cockrell, the house took a recess until 7½ o'clock p. m.

EVENING SESSION.

The house met pursuant to adjournment.

Mr. Woolf moved that the order of business for this evening be that the chairman of committees report only house bills. Carried.

JUDICIARY COMMITTEE.

Mr. Beirne, from the judiciary committee, reported adversely to the bill—

H. B. 335. To incorporate the Grand Lodge of Independent Order of Good Templars of the State of Alabama and the subordinate lodges under its jurisdiction.

The house refused to concur, and the bill was read the third time and passed—yeas 38, nays 20.

Those who voted yea are—

Messrs. Speaker, Allen, Barron, Bonner, Brewer, Brown, Clements, Cockrell, Dillon, Edwards, Espy, Gibson, Greene of Lee, Hamilton, Harris of Chambers, Higgins, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Lee, Leslie, Mathews, Mitchell, Prowell, Purcell, Ross, Rousseau, Sims, Smith of Franklin, Stevens, St. John, Tate, Townsend, Wilson, Witherspoon and Woolf—38.

Those who voted nay are—

Messrs. Aldridge, Beirne, Boyd, Chambers, Coon, Farriss, Franklin, Gilmer of Montgomery, Greene of Jefferson, Gullett, Harris of Perry, Heaton, Lewis, Locke, Reese, Stallworth, Troup, Wood of Marengo, Wood of Talladega, and Wynne—20.

WAYS AND MEANS.

Mr. Barnett, from the committee on ways and means, reported a substitute for the bill—

H. B. 456. To authorize the court of county commissioners of Butler county to levy taxes for the purpose of refunding to tax collectors moneys paid into the county treasury as county taxes by them, which they have not collected from the people, by mistaking the rate of taxation.

The substitute was adopted, and the bill read the third time and passed—yeas 62, nays 2.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Bon-

ner, Brewer, Brown, Cashin, Chambers, Clements, Cook, Coon, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Martin, Mathews, McDuffie, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Townsend, Troup, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—62.

Those who voted nay are—

Messrs. Blevins and Gullledge—2.

Also, from same committee, a substitute for the bill—

H. B. 168. To amend section 509 of the Revised Code.

The substitute was adopted, and the bill read the third time and passed—yeas 59, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Blevins, Boyd, Brewer, Brown, Cashin, Chambers, Clements, Coon, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—59.

Mr. Lee voted nay.

Also, a substitute for the bill—

H. B. 388. For the relief of persons having but one arm or one leg.

The substitute being entitled—

An act for the relief of persons having but one leg or one arm, and all others who labor under physical disability of earning a livelihood by labor.

The substitute was adopted.

Mr. Tate moved to amend by striking out the word "licensed," and inserting "regular." Adopted.

Mr. Greene of Lee, moved to amend as follows :

Strike out the words "without license," in section one, and insert, "by taking out a license in any one county, the payment of such license tax, to be evidenced by the receipt of any judge of probate." Adopted.

The bill was read the third time and passed—yeas 61, nays 2.

Those who voted yea are—

Messrs. Speaker, Aldridge, Baldwin, Barnett, Barron, Beirne, Blevins, Bliss, Bonner, Boyd, Brewer, Brown, Chambers, Clements, Cook, Coon, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Martin, Mathews, McDuffie, Price, Prowell, Reese, Rice, Ross, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Townsend, Troup, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—61.

Those who voted nay are—

Messrs. Cashin and Cockrell—2.

EDUCATION.

Mr. Clements submitted the following report from committee on education :

Mr. Speaker :

The committee on education to whom was referred the resolution instructing the committee on education “to inquire into and make report in regard to all the school lands of this State from the time of donation by the United States to the present time;” have had the same under consideration, and instruct me to report that they find it impracticable to make the investigation necessary to arrive at a satisfactory conclusion respecting these lands, during this session of the general assembly.

This is owing to defects in the laws regulating the sales, and reports of the same, of said lands. The committee find that only the notes given for purchase of these lands are required to be sent to the office of the Superintendent of Education, and they need not be sent there until twelve months after the sale has occurred. None of these notes show on their face, nor does the law require them to show for what portion of the sixteenth sections the notes were given.

It is true that the law requires the trustees, or commissioners making the sale, to certify the same; giving names of purchasers, amount of purchase money, and quantity purchased by each party, but we find that in many instances such cer-

tificates have either never been made to the Secretary of State, or have been lost or destroyed.

The committee deem this a matter of too much importance to be hastily and hurriedly investigated, and owing to the shortness of the time that this session will likely hold, deem it advisable that this important subject should be thoroughly investigated, and the information, asked for under the resolution, furnished to the general assembly at its next regular session. For this purpose your committee recommend the adoption of the resolution herewith submitted.

N. N. CLEMENTS,
Chairman of Com. on Ed.

The joint resolution reported by the committee entitled

JOINT RESOLUTION :

Requiring the Superintendent of Education to examine into and report to the next general assembly, the situation and condition of all lands donated by congress to this State for school purposes ;

Was read and adopted.

LOCAL LEGISLATION.

Mr. Price, from the committee on local legislation, reported favorably to the bill—

H. B. 461. To amend section 6, of an act entitled an act to establish a board of commissioners of roads in the county of Mobile, and to prescribe the duties thereof, approved December 20, 1871 ;

Which bill was read the third time and passed—yeas 53, nays 4.

Those who voted yea are—

Messrs. Speaker, Aldridge, Baldwin, Barnett, Barron, Beirne, Bonner, Brewer, Brown, Cashin, Chambers, Clements, Dillon, Edwards, Espy, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Lee, Leslie, Locke, Martin, Matthews, McDuffie, Price, Prowell, Rice, Ross, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—53.

Those who voted nay are—

Messrs. Blevins, Bliss, Boyd, and Reese—4.

On motion of Mr. Wynne, the house adjourned until to-morrow morning, 9 o'clock.

FIFTY-SIXTH DAY.

THURSDAY, March 2, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Stringfellow.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Boze-man, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Gulledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Matthews, Mitchell, Price,

H. B. 442. An act to amend section 1066 of the Revised Code;

H. B. 443. An act to amend section 1 of an act for the support of the Alabama insane hospital, approved 10th February, 1871;

H. B. 439. An act to amend section 1050 of the Revised Code;

SIGNING BILLS.

The speaker, in the presence of the house and immediately after the titles had been publicly read, signed said bills.

By leave, Mr. Betts, from the committee on accounts and claims reported favorably to the senate bill—

S. R. 384. Joint resolution to provide for the payment of the expenses of the special joint committee of the general assembly to visit the Institution for the Deaf, Dumb and the Blind;

Which bill was read the third time and passed—yeas 63, nays 7.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Bliss, Bonner, Bozeman, Baker, Brantley, Brown, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gulledge, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Maples, Mitchell, Price, Prowell, Purcell, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—63.

Those who voted nay are—

Messrs. Blevins, Boyd, Fagan, Harris of Dallas, Lee, Martin and Mathews—7.

Also, favorably to the senate bill—

S. B. 333. Joint resolution to authorize the auditor to draw his warrant on the treasurer to pay the expenses of joint committee to visit the penitentiary;

Which bill was read the third time and passed—yeas 64, nays 5.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron,

Beirne, Betts, Billups, Bonner, Boyd, Bozeman, Baker, Brown, Clements, Cook, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Chambers, Harris of Perry, Heaton, Higgins, Holloway, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Reid, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—64.

Those who voted nay are—

Messrs. Bennett, Blevins, Bliss, Harris of Dallas, and Witherspoon—5.

By leave, Mr. Maples, from the committee on temperance, reported favorably, with amendment, to the bill—

H. B. 452. To incorporate the Clintonville Academy, in Coffee county.

Amend by striking out the first section.

The amendment was adopted, and the bill read the third time and passed—yeas 67, nays 7.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Bonner, Bozeman, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Lewis, Locke, Maples, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—67.

Those who voted nay are—

Messrs. Bennett, Blevins, Bliss, Boyd, Baker, Brantley and Martin—7.

BILLS ON SECOND READING.

The bill—

H. B. 481. To amend the city charter of Eufaula ;

Was read the second time, and referred to a special committee, consisting of the Barbour delegation.

The bill—

H. B. 483. To authorize the corporate authorities of the

city of Montgomery to levy and collect a tax upon personal property ;

Was read the second time.

Mr. Grant moved to refer to a special committee of three, of which Mr. Mitchell should be chairman. Lost ;

And the bill was referred to the committee on ways and means, with leave to report at pleasure.

The bill—

H. B. 482. To regulate taxation upon express companies ;

Was read the second time and referred to the committee on ways and means.

The senate bills—

S. B. 381. To amend section 10 of an act to establish a new charter for the town of Union Springs, in Bullock county.

S. B. 396. To prescribe the oath of office to be taken by the mayor and aldermen of the various cities in the State ;

Were severally read the second time and referred to the committee on corporations.

The senate bill—

S. B. 112. To fix the compensation of the Superintendent of Education ;

Was read the second time and referred to the committee on fees and salaries.

The senate bills—

S. B. 243. To regulate the trial of misdemeanors in Lauderdale county.

S. B. 341. Authorizing an election to be held in Clay county for the permanent location of the county seat of said county ;

Were severally read the second time, and referred to the committee on local legislation.

The senate bill—

S. B. 380. To pay Jos. Baumer for articles furnished the senate chamber ;

Was read the second time and referred to the committee on accounts and claims.

The senate bills—

S. B. 255. To amend section 1365 of the Revised Code.

S. B. 371. To require publication of notice that application will be made to the Governor to pardon convicts or to remit fines and forfeitures ;

Were severally read the second time and referred to the committee on the judiciary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

March 2, 1876.

Mr. Speaker :

The senate has adopted the following house memorial :

H. B. 480. To the congress of the United States, asking that in the revival or renewal of the grant of lands made to the State of Alabama to aid in the construction of the Mobile and Girard railroad, that the said railroad company shall be required to take lands in the even numbered sections in lieu of lands occupied by settlers in the odd numbered sections, within the limits of said grant.

And has passed house bills :

H. B. 401. For the relief of C. N. Jelks.

H. B. 143. To amend section 4013 of the Revised Code.

H. B. 375. To repeal an act entitled an act to prohibit the selling, giving away or otherwise disposing of spirituous, vinous or intoxicating liquors within three miles of Harmony Church, Limestone county, Alabama, approved January 29, 1875.

H. B. 376. To repeal an act approved February 23, 1875, to prohibit the sale, &c., of liquors and intoxicating beverages within three miles of Cambridge Camp Ground, Limestone county.

H. B. 479. To authorize the construction of a breakwater in the bay and harbor of Mobile, and to incorporate certain persons therein named for that purpose.

H. B. 298. To incorporate the North Alabama Immigration Aid Society.

H. B. 404. To legalize and ratify the settlement and payment of all claims heretofore settled and paid by the present county treasurer of Randolph county.

H. B. 396. To repeal an act to prohibit the sale or otherwise disposing of vinous or spirituous liquors within one and a half miles of the Academy in the town of Wedowee, in Randolph county.

H. B. 273. To incorporate the Volunteer Military Company, in the city of Greenville, and to grant certain privileges.

H. B. 400. To provide for a vote of the people on the subject of a permanent location of the county site of DeKalb county.

And has amended, as therein shown, and passed house bill—

H. B. 236. To establish and regulate liens of mechanics and other persons.

And has originated and passed the following bills :

S. B. 227. To regulate the granting of licenses to retail vinous or spirituous liquors in this State.

S. B. 367. To incorporate the town of Fredonia, in Chambers county.

S. B. 375. For the relief of Mrs. Eliza Hunsucker, of St. Clair county.

The senate has adopted the following memorial to the congress of the United States, and ordered the same forthwith to the house without being engrossed :

S. B. 418. Memorial to the congress of the United States, for the further improvement of the harbor of Mobile.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary :

EXECUTIVE DEPARTMENT,
March 2, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the house of representatives :

H. B. 443. An act to amend section one of an act for the support of the Alabama insane hospital, approved 16th February, 1871.

H. B. 440. An act to amend section 1053 of the Revised Code.

H. B. 441. An act to amend section 1054 of the Revised Code.

H. B. 439. An act to amend section 1050 of the Revised Code.

H. B. 442. An act to amend section 1066 of the Revised Code.

Respectfully,

L. R. DAVIS,
Private Sec'y.

REPORT FROM SPECIAL COMMITTEE.

Mr. Higgins, on behalf of a majority of the special committee, to which was referred the bill—

H. B. 397. To establish, organize and regulate a system of public instruction for the State of Alabama;

Reported a substitute therefor.

Mr. Clements submitted a minority report, recommending the passage of the bill as it was referred to the committee, with the following amendments thereto:

1st. Amend section 11, article 4, page 15, by way of a substitute.

2d. Amend section 6, article 3, page 8, by striking out all after "per annum" in the second line.

On motion of Mr. Betts, the substitute reported by the majority of the committee, was laid on the table.

The report of the minority being before the house,

The second amendment was adopted.

Mr. Lewis moved to lay the first amendment on the table.

Lost, and the amendment was adopted.

Mr. Woolf moved to amend section 5, article 3, by way of substitute, as follows:

"That from and after the expiration of the term of office of the present State Superintendent of Education, the annual pay of the clerk in his department shall be twelve hundred and fifty dollars, to be paid out of the educational fund."

Mr. Harris of Perry moved to lay the amendment on the table. Lost—yeas 32, nays 43.

Those who voted yea are—

Messrs. Speaker, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Bozeman, Carson, Clements, Coon, Dillon, Greene of Lee, Harris of Perry, Huey, Jones of Pickens, Leslie, Lewis, Martin, Mitchell, Price, Purcell, Reese, Reid, Rice, Stallworth and Witherspoon—32.

Those who voted nay are—

Messrs. Aldridge, Andrews, Baldwin, Bennett, Bliss, Baker, Brown, Cook, Cockrell, Davis, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Gullledge, Hamilton, Harris of Chambers, Heaton, Higgins, Jones of Russell, Kirkland, Lee, Locke, Maples, Mathews, Prowell, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Stribling, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega and Woolf—43.

The amendment was adopted.

Mr. Woolf moved to amend section 6, same article, by way of substitute, as follows:

"That from and after the expiration of the term of office of the present incumbent, the annual salary of the Superin-

tendent of Education shall be twenty-two hundred and fifty dollars, to be paid out of the educational fund."

Mr. Harris of Perry moved to lay the amendment on the table.

Mr. Barnett called for a division of the question ;

And the vote being taken on laying on the table that part of the amendment relating to the salary of the superintendent, resulted—yeas 41, nays 39.

Those who voted yea are—

Messrs. Speaker, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bonner, Boyd, Bozeman, Carson, Clements, Cook, Coon, Crews, Dillon, Espy, Grant, Greene of Jefferson, Greene of Lee, Harris of Perry, Herman, Higgins, Huey, Jenkins, Jones of Pickens, Kimmey, Leslie, Locke, Martin, Mathews, Mitchell, Price, Purcell, Reese, Reid, Rice, Stallworth and Stribling—41.

Those who voted nay are—

Messrs. Aldridge, Andrews, Bliss, Baker, Brown, Cockrell, Davis, Edwards, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Gulledge, Hamilton, Harris of Chambers, Heaton, Holloway, Jones of Russell, Kirkland, Lee, Lewis, Maples, McDuffie, Prowell, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega and Woolf—39.

And that part relating to the fund out of which the salary should be paid was laid on the table—yeas 42, nays 38.

Those who voted yea are—

Messrs. Speaker, Baldwin, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Carson, Clements, Cook, Coon, Crews, Fagan, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Harris of Perry, Herman, Jenkins, Jones of Pickens, Lee, Leslie, Lewis, Locke, Martin, Mathews, McDuffie, Mitchell, Price, Purcell, Reese, Reid, Rice, Rousseau, Witherspoon and Wood of Marengo—42.

Those who voted nay are—

Messrs. Aldridge, Andrews, Barnett, Baker, Brown, Cockrell, Davis, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gulledge, Hamilton, Harris of Chambers, Heaton, Higgins, Holloway, Huey, Jones of Russell, Kimmey, Kirkland, Maples, Prowell, Ross, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega and Woolf—38.

Mr. Woolf moved to amend by striking out section 1, article 9. Adopted.

Mr. Higgins, offered the following amendment :

In article 4, section 1, amend by striking out all after the words "who shall be," in line two, and inserting in lieu thereof the following :

"Elected by the qualified voters at the general election, to be held on the first Monday in August, 1876, and shall be elected every two years thereafter."

The Speaker (Mr. Greene of Lee in the chair) ruled that the amendment was out of order, and gave as his reason therefor, that the house had, in effect, voted against the proposition in the amendment offered by Mr. St. John as a substitute for article four, section nine, when the bill was under consideration on the 24th of February, ultimo.

Mr. Higgins appealed from the decision of the chair.

The house refused to sustain the decision of the chair.

Mr. Clements moved to lay the amendment of Mr. Higgins on the table ;

Lost—yeas 35, nays 46.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Betts, Billups, Bonner, Brown, Clements, Crews, Davis, Dillon, Espy, Farriss, Gibson, Grant, Greene of Jefferson, Greene of Lee, Harris of Chambers, Heaton, Herman, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Price, Prowell, Purcell, Smith of Franklin, Townsend, Wilson and Woolf—35.

Those who voted nay are—

Messrs. Baldwin, Barnett, Bennett, Bliss, Boyd, Bozeman, Baker, Carson, Cook, Coon, Cockrell, Edwards, Fagan, Fielder, Franklin, Gilmer of Montgomery, Gulledege, Hamilton, Harris of Perry, Higgins, Holloway, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Reese, Reid, Rice, Ross, Rosseau, Sims, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Witherspoon, Wood of Marengo, and Wood of Talladega—46.

Mr. Cockrell moved to reconsider the vote just taken, and to lay that motion on the table ;

Carried.

The amendment was adopted.

Mr. Wood of Talladega moved to reconsider the vote adopting the amendment, and to lay that motion on the table ;

Carried.

Mr. Wilson moved to indefinitely postpone the further consideration of the bill ;

Lost—yeas 23, nays 57.

Those who voted yea are—

Messrs. Aldridge, Betts, Billups, Brown, Davis, Edwards, Franklin, Grant, Greene of Jefferson, Gullledge, Herman, Holloway, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Prowell, Smith of Franklin, St. John, Tate, Townsend, Wilson and Woolf—23.

Those who voted nay are—

Messrs. Speaker, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Blevins, Bliss, Bonner, Boyd, Bozeman, Baker, Carson, Clements, Cook, Coon, Cockrell, Crews, Dillon, Espy, Fagan, Farriss, Fielder, Gilmer of Montgomery, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Higgins, Huey, Jenkins, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Price, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Stevens, Straughn, Troup, Wharton, Witherspoon, Wood of Marengo, and Wood of Talladega—57.

Pending the consideration of the bill, the following message from the senate was received :

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 2, 1876.

Mr. Speaker :

The senate concurs in the house substitute for the senate amendments numbered 25 and 26, to the house bill—

H. B. 341. To establish a revenue code for the State of Alabama.

And recedes from its amendments numbered 1, 2, 8, 9, 10, 11, 13, 14, 16, 19, 20, 21 and 22.

And refuses to recede from its amendments numbered 23 and 27.

And orders the bill forthwith to the house.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

On motion of Mr. Betts, a committee of conference, consisting of five on the part of the house, and three on the part of the senate, was asked for on the bill—

H. B. 341. To establish a revenue code for the State of Alabama.

Committee on the part of the house—Messrs. Barnett Betts, Greene of Lee, Woolf and Brewer.

The house resumed the consideration of the bill to organize and regulate a system of public instruction.

Mr. Clements moved to reconsider the vote by which the house refused to adopt the substitute reported by the majority of the committee.

Mr. Cockrell moved to lay the motion on the table;

Lost—yeas 36, nays 43.

Those who voted yea are—

Messrs. Baldwin, Bennett, Blevins, Bliss, Boyd, Bozeman, Carson, Cook, Coon, Cockrell, Fagan, Gilmer of Montgomery, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Higgins, Huey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Reese, Reid, Sims, Tate, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—36.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Baker, Brown, Clements, Crews, Dillon, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Harris of Chambers, Heaton, Herman, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Price, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson and Woolf—43.

Mr. Beirne moved to postpone the further consideration of the bill until Monday next, 1 p. m., and make it the special order for that hour;

Lost.

And the motion to reconsider, carried.

Yeas 44, nays 31.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Baker, Brown, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Harris of Chambers, Heaton, Herman, Holloway, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson and Woolf—45.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Bliss, Boyd, Bozeman, Carson, Cook, Coon, Cockrell, Fagan, Gilmer of Montgomery, Hamilton, Harris of Dallas, Harris of Perry, Higgins, Huey,

Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Reese, Reid, Sims, Witherspoon, Wood of Marengo, and Wynne—31.

Mr. Brown called for the previous question, and the call was sustained.

The vote being first taken on the substitute, it was adopted.

And the bill was read the third time and passed—yeas 52, nays 24.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Bozeman, Baker, Brown, Clements, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Gulleage, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Maples, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, and Woolf—52.

Those who voted nay are—

Messrs. Baldwin, Blevins, Bliss, Boyd, Cook, Coon, Cockrell, Fagan, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Harris of Perry, Jenkins, Leslie, Lewis, Locke, Mathews, Price, Reese, Reid, Sims, Witherspoon, Wood of Talladega, and Wynne—24.

Messrs. Kimmey, Tate, Rousseau, Huey and Clements were appointed the committee of conference on the part of the house on the bill—

H. B. 49. To arrange the courts by districts, in the southern chancery division.

ENROLLED BILL.

Mr. Barron, from the committee on enrolled bills, reported as correctly enrolled, the bill—

H. B. 401. For the relief of C. N. Jelks.

SIGNING BILL.

And the Speaker, in the presence of the house and immediately after the title had been publicly read, signed said bill.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,
March 2, 1876.

Mr. Speaker:

The Governor has approved the following bill, which originated in the house of representatives:

H. B. 401. An act for the relief of C. N. Jelks.

Very respectfully,

L. R. DAVIS,
Private Secretary.

On motion of Mr. Aldridge, the house took a recess until 7 $\frac{1}{2}$ p. m.

EVENING SESSION.

House met pursuant to adjournment.

Mr. Rice offered the following resolution, which was adopted:

Resolved, That the door-keeper be furnished with a list of the absentees, and directed forthwith to arrest and bring before the house such members as he may find in the city.

REPORT FROM JUDICIARY COMMITTEES.

Mr. Beirne, from the committee on the judiciary, reported favorably to the senate bill—

s. b. 230. To repeal an act to regulate the publication of legal notices in the counties of Blount, Talladega, Clay, Coosa and Tallapoosa, approved March 8, 1871, so far as the same applies to the county of Blount.

Which bill was read the third time and passed—yeas 59, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Beirne, Betts, Billups, Bonner, Baker, Brown, Clements, Coon, Crews, Davis, Dillon, Espy, Fagan, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens,

Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson and Woolf—59.

Mr. Boyd voted nay.

Also, favorably to the senate bill—

s. B. 193. To prevent the hiring of convicts sentenced to penitentiary imprisonment to their relatives or other persons therein named ;

Which bill was read the third time and passed—yeas 52, nays 9.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Bonner, Baker, Brown, Clements, Coon, Crews, Davis, Dillon, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Leslie, Locke, Maples, Martin, Mitchell, Prowell, Purcell, Reese, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wharton, Wilson and Woolf—52.

Those who voted nay are—

Messrs. Baldwin, Cook, Fagan, Gilmer of Montgomery, Kirkland, Lewis, Mathews, Reid and Wynne—9.

Also, favorably to the senate bill—

s. B. 317. To authorize the succession of foreign executors, administrators and guardians, acting under authority of former laws of this State, to execute the powers conferred on their predecessors in office ;

Which bill was read the third time and passed—yeas 58, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Baker, Brown, Clements, Cook, Coon, Crews, Davis, Dillon, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reid, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson, Woolf and Wynne—58.

Mr. Baldwin voted nay.

Also, favorably to the senate bill—

s. B. 252. To require sheriffs and constables to levy first

upon the crop of the tenant before resorting to the crop of the sub-tenant, in case of attachment for rent and advances ;

Which bill was read the third time and passed—yeas 48 , nays 11.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Bonner, Baker, Brown, Clements, Coon, Crews, Davis, Dillon, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson, Wood of Talladega, and Woolf—48.

Those who voted nay are—

Messrs. Baldwin, Blevins, Cook, Harris of Dallas, Harris of Perry, Lee, Locke, Mathews, Reid and Wynne—11.

Also, favorably to the senate bill—

s. B. 197. To prescribe the time in which prosecutions for certain offences therein named may be commenced ;

Which bill was read the third time and passed—yeas 53, nays 2.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Beirne, Betts, Billups, Bonner, Baker, Brown, Clements, Crews, Davis, Dillon, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Mathews, Mitchell, Price, Prowell, Purcell, Reid, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson, and Woolf—53.

Those who voted nay are—

Messrs. Harris of Dallas, and Wynne—2.

Also, favorably to the senate bill—

s. B. 334. Joint resolution requiring the reports of State officers and other public documents, submitted to the general assembly, to be filed and kept in the office of the Secretary of State ;

Which bill was read the third time and passed—yeas 62, nays 0.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Beirne, Betts, Billups, Bonner, Boyd, Baker, Brown, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Espy, Farriss,

Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reid, Rice, Ross, Shepard, Stallworth, St. John, Troup, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—62.

Also, favorably to the senate bill—

s. B. 242. To provide for the return to the office of the judge of probate of all the books furnished by the State to county solicitors ;

Which bill was read the third time and passed—yeas 54, nays 3.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Beirne, Betts, Bonner, Baker, Brown, Clements, Crews, Davis, Dillon, Espy, Farriss, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Reid, Rice, Ross, Stallworth, St. John, Straughn, Troup, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—54.

Those who voted nay are—

Messrs. Billups, Harris of Dallas, and Reese—3.

Also, favorably to the senate bill—

s. B. 18. To allow married women in certain cases to sue in their own names ;

Which bill was read the third time and passed—yeas 49, nays 10.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Bonner, Brown, Clements, Crews, Davis, Dillon, Espy, Farriss, Fielder, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Leslie, Lewis, Maples, Mathews, Mitchell, Price, Prowell, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson, Woolf and Wynne—49.

Those who voted nay are—

Messrs. Baldwin, Baker, Cook, Cockrell, Franklin, Harris of Dallas, Lee, Martin, Reese and Reid—10.

Also, favorably to the senate bill—

s. B. 225. To preserve the numbers of the acts of the respective houses of the general assembly ;

Which bill was read the third time and passed—yeas 62, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Beirne, Betts, Billups, Bonner, Boyd, Brown, Clements, Cook, Coon, Crews, Davis, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Lee, Leslie, Lewis, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—62.

Mr. Cockrell voted nay.

Also, favorably to the senate bill—

s. B. 129. For the appointment and compensation of special chancellor, in certain cases ;

Which bill was read the third time and passed—yeas 49, nays 12.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Beirne, Betts, Billups, Bonner, Baker, Brown, Crews, Davis, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Leslie, Lewis, Maples, Mitchell, Price, Prowell, Purcell, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson, Woolf and Wynne—49.

Those who voted nay are—

Messrs. Blevins, Boyd, Brantley, Cook, Cockrell, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Martin, Mathews, Reese and Reid—12.

Also, favorably to the senate bill—

s. B. 387. To extend the time for the publication of the unpublished decisions of the supreme court, prior to the January term, 1875.

Which bill was read the third time and passed—yeas 58, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett,

Barron, Beirne, Betts, Billups, Bonner, Brantley, Brown, Cashin, Clements, Cook, Crews, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Matthews, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson, Woolf and Wynne—59.

Also, favorably to the senate bill—

s. B. 183. To provide for keeping the Session Acts of the General Assembly of Alabama, the Supreme Court Reports, Smith's Condensed Reports, and Brickell's Digest, furnished by the State to each county, in the court room during the session of court, and in the probate office or bar library at all other times.

Which bill was read the third time and passed—yeas 59, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Boyd, Brantley, Brown, Clements, Cook, Crews, Davis, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Kirkland, Lee, Leslie, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson, Wood of Marengo, Woolf and Wynne—59.

Nay—Mr. Greene of Jefferson.

Also, favorably to the senate bill—

s. B. 256. To allow tax collectors to give separate bonds for the collection of the ordinary State and county taxes, and all other taxes for special purposes.

Which bill was read the third time and passed—yeas 53, nays 6.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Boyd, Baker, Brown, Clements, Crews, Davis, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Leslie, Lewis, Locke, Maples,

Mitchell, Price, Prowell, Purcell, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson and Woolf—53.

Those who voted nay are—

Messrs. Blevins, Harris of Dallas, Lee, Martin, Reese and Wynne—6.

Also, favorably to the senate bill—

s. B. 232. To amend subdivision 6 of section 680 of the Revised Code;

Which bill was read the third time and passed—yeas 55, nays 9.

Those who voted yea are—

Mess. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Baker, Brown, Clements, Coon, Crews, Davis, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Leslie, Maples, Mathews, Mitchell, Price, Prowell, Purcell, Reid, Rice, Ross, Shepard, Smith of Bullock, Stallworth, St. John, Troup, Wilson, Wood of Marengo, and Woolf and Wynne—55.

Those who voted nay are—

Messrs. Baldwin, Boyd, Brantley, Cook, Harris of Dallas, Lee, Lewis, Locke, and Reese—9.

Also, favorably to the senate bill—

s. B. 308. To authorize the courts of probate to appoint special guardians, for wards, and make settlements of the estates of deceased persons, in certain cases;

Which bill was read the third time and passed—yeas 61, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Baker, Brown, Clements, Cook, Crews, Davis, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Lee, Leslie, Lewis, Locke, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Shepard, Smith of Bullock, Stallworth, St. John, Straughn, Troup, Wilson, Wood of Marengo, Wood of Talladega, Woolf and Wynne—61.

Mr. Brantley voted nay.

Also, favorably to the senate bill—

s. B. 39. To transfer all causes now pending and undeter-

mined in the several circuit courts of this State, on the equity side thereof, to the chancery court of the district, in which such causes are depending ;

Which bill was read the third time and passed—yeas 57, nays 3.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Boyd, Baker, Brown, Clements, Cook, Crews, Davis, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Leslie, Lewis, Locke, Maples, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson, Wood of Marengo, Woolf and Wynne—57.

Those who voted nay are—

Messrs. Baldwin, Harris of Dallas, and Lee—3.

Also, from same committee, reported a substitute for the senate bill—

S. B. 1. To provide for the recording of certain papers by clerks of the circuit courts, registers in chancery and judges of probate.

The substitute being entitled an act to require registers in chancery and clerks of the circuit, and other courts of civil or chancery jurisdiction, to record certain papers therein named, and otherwise regulate the safe keeping and use of same ;

The substitute was adopted and the bill read the third time and passed—yeas 58, nays 2.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Bierne, Betts, Billups, Blevins, Bonner, Boyd, Baker, Brown, Clements, Cook, Crews, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Green of Jefferson, Green of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Leslie, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Rice, Ross, Shepard, Stallworth, St. John, Straughn, Troup, Wilson, Wood of Marengo, Woolf and Wynne—58.

Those who voted nay are—

Messrs. Baldwin and Lee—2.

Also, favorably, with amendment, to the senate bill—

s. B. 207. To authorize executors and administrators to sell lands of the estates they represent at private sale.

Amend by adding the following: And, provided further, that said court may, upon proof that it will be advantageous to the estate, or that a better sale can be effected, include in the order of sale that the executor or administrator, may instead of requiring the purchaser to execute his note, with at least two good and sufficient securities, as required in section 2089 of the Revised Code, take, instead, his individual note, with mortgage on the land sold, to secure the purchase money, but in no case must this be done unless one-third of the purchase money is paid in cash, and the order must show that by the terms of sale, at least one-third of the purchase money is required to be paid in cash, and this provision shall be held to apply to all sales of real estate made by executors and administrators;

The amendment was adopted.

Mr. Anderson, (Mr. Clements in the chair,) moved to amend as follows:

Strike out the words "to be on oral testimony," in 10th line, and insert "to take testimony in writing, to be sworn to and subscribed by witnesses."

Also, insert in 13th line, between the words "sale" and "provided," the following: "Provided, that such sale shall not take place until after the land has been exposed at public sale, and no sale has been effected, or the same has been set aside by the court ;

On motion of Mr. Beirne, the further consideration of the bill was postponed, and made the special order for to-morrow, 12 m.

Mr. Beirne, from same committee, reported favorably to the senate bill—

s. B. 291. To amend section one of an act to prohibit attorneys in certain cases from practicing their profession in the probate and chancery courts, approved December 11th, 1871 ;

Mr. Billups moved to lay the bill on the table. Carried.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the following senate bills:

s. R. 333. Joint resolution to authorize the auditor to draw

his warrant on the treasurer to pay the expenses of joint committee to visit the penitentiary ;

S. B. 384. To provide for the payment of the expenses of the joint special committee of the general assembly to visit the institution for the deaf and dumb, and the blind.

On motion of Mr. Mathews, the house adjourned until to-morrow morning, 9 o'clock.

FIFTY-SEVENTH DAY.

FRIDAY, March 3, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Wilson, of the house.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Mathews, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne.

The journal of yesterday was read and approved.

On motion of Mr. Woolf, a committee of conference was raised, to act with the senate committee on the bill—

H. B. 270. To provide for the impeachment and removal from office of the officers mentioned in sections 2 and 3, of article 7, of the constitution of Alabama.

Committee on the part of the house—Messrs. Woolf, Price and Chambers.

By leave, Mr. Barnett, from the committee on ways and means, reported favorably to the senate bill—

S. B. 361. To provide for the payment of the commissioners appointed under the act approved December 17, 1874,

to liquidate and adjust all claims against the State of Alabama, arising from bonds issued or endorsed in the name of the State.

Mr. Smith of Bullock moved to amend by striking out "\$3,500" and inserting "\$3,000."

Mr. Mitchell moved to lay the amendment on the table ;

Carried—yeas 54, nays 30.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Betts, Billups, Bliss, Bonner, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Davis, Dillon, Edwards, Farriss, Fielder, Gibson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wilson, Wood of Talladega, and Woolf—54.

Those who voted nay are—

Messrs. Andrews, Baldwin, Blevins, Boyd, Brantley, Cashin, Cook, Coon, Cockrell, Espy, Fagan, Franklin, Gilmer of Montgomery, Greene of Jefferson, Harris of Dallas, Lee, Lewis, Locke, Martin, Mathews, McDuffie, Reese, Reid, Rice, Smith of Bullock, Townsend, Wharton, Witherspoon, and Wood of Marengo—30.

Mr. Rice moved to amend as follows :

Strike out the words "an annual," in the seventh line, and insert "a."

And insert after the word "act," in the ninth line, "for the first year after their appointment."

Mr. Chambers moved to lay the amendment on the table ;

Lost—yeas 28, nays 52.

Those who voted yea are—

Messrs. Speaker, Barnett, Barron, Bonner, Bozeman, Brewer, Chambers, Clements, Dillon, Edwards, Greene of Lee, Gullledge, Harris of Chambers, Herman, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Mitchell, Price, Prowell, Purcell, Ross, Smith of Franklin, Stevens, Wood of Talladega and Woolf—28.

Those who voted nay are—

Messrs. Aldridge, Andrews, Baldwin, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Boyd, Baker, Brantley, Brown, Cashin, Cook, Cockrell, Espy, Fagan, Farriss, Fielder, Franklin, Gilmer of Montgomery, Greene of Jefferson, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway,

Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Reese, Reid, Rice, Rousseau, Shepard, Smith of Bullock, Stallworth, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, and Wood of Marengo—52.

Pending the consideration of the amendment of Mr. Rice.

On motion of Mr. Brewer, the further consideration of the bill was postponed, and made the special order for to-morrow at 11 a. m.

Mr. Crews, from special committee, reported favorably to the bill—

H. B. 481. To amend the charter of the city of Eufaula.

Which bill was read the third time and passed—yeas 62, nays 16.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gulledege, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Leslie, Mitchell, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson and Woolf—62.

Those who voted nay are—

Messrs. Bennett, Blevins, Bliss, Boyd, Brantley, Carson, Cook, Fagan, Gilmer of Montgomery, Lee, Lewis, Locke, Mathews, Reese and Witherspoon—16.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following as correctly enrolled:

H. B. 376. To repeal an act approved February 23, 1875, to prohibit the sale, &c., of liquors and intoxicating beverages, within three miles of Cambridge Court Ground, Limestone county.

H. B. 375. To repeal an act entitled an act to prohibit the selling, giving away or otherwise disposing of spirituous, vinous or intoxicating liquors, within three miles of Harmony Church, Limestone county, Alabama, approved January 29, 1875.

H. B. 143. To amend section 4013 of the Revised Code.

H. B. 404. To legalize and ratify the settlement and payment of all claims heretofore settled and paid by the present county treasurer of Randolph county.

H. B. 396. To repeal an act to prohibit the sale or otherwise disposing of vinous or spirituous liquors within one and a half miles of the academy in the town of Wedowee, in Randolph county.

H. B. 400. To provide for a vote of the people on the subject of a permanent location of the county site of DeKalb county.

H. B. 298. To incorporate the North Alabama Immigration Aid Society.

H. B. 273. To incorporate the volunteer military company in the city of Greenville, and to grant certain privileges.

H. B. 480. Memorial to the Congress of the United States, asking that in the revival or renewal of the grant of lands made to the State of Alabama, to aid in the construction of the Mobile and Girard Railroad, that the said railroad company shall be required to take land in the even numbered sections in lieu of lands occupied by settlers on the odd numbered sections within the limits of said grant.

SIGNING BILLS.

And the Speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

March 3, 1876.

Mr. Speaker :

The senate concurs in the action of the house, calling for a committee of conference on the disagreement between the two houses relative to the amendments to the house bill—

H. B. 341. To establish a revenue code for the State of Alabama.

Committee on the part of the senate—Messrs. Cobb, McClellan and Thornton.

And has originated and passed the following bills :

s. B. 416. To fix the times of holding the circuit courts in the second judicial circuit.

s. B. 336. To authorize and regulate the partition of crops

among tenants in common, or joint owners therein, and to enforce liens thereon in certain cases.

Respectfully,

S. B. BREWER,
Secretary.

MESSAGES FROM THE SENATE.

SENATE CHAMBER,
March 2, 1876.

Mr. Speaker:

The senate has originated and passed the following bill:

S. B. 335. To declare a lien in favor of tenants in common on crops grown by them for advances made by them in certain cases.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

SENATE CHAMBER,
March 3, 1876.

Mr. Speaker:

The senate has originated and passed, and ordered forthwith to the house without being engrossed, the following bills:

S. B. 356. To establish a board of revenue for Lowndes county, and to define the duties and powers of said board of revenue.

S. B. 355. To abolish the court of county commissioners of Lowndes county.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary, Mr. Davis :

EXECUTIVE DEPARTMENT,
March 3, 1876.

Mr. Speaker:

The Governor has approved the following bills, which originated in the house of representatives :

H. B. 375. To repeal an act entitled an act to prohibit the selling, giving away or otherwise disposing of spirituous, vinous or intoxicating liquors within three miles of Harmony Church, Limestone county, Alabama, approved January 29, 1875.

H. B. 404. To legalize and ratify the settlement and payment of all claims heretofore settled and paid by the present county treasurer of Randolph county.

H. B. 396. To repeal an act to prohibit the sale or otherwise disposing of vinous or spirituous liquors within one and a half miles of the Academy in the town of Wedowee, in Randolph county.

H. B. 376. To repeal an act approved February 23, 1875, to prohibit the sale, &c., of liquors and intoxicating beverages within three miles of Cambridge Camp Ground, Limestone county.

H. B. 480. Memorial to the congress of the U. States, asking that in the revival or renewal of the grant of lands made to the State of Alabama to aid in the construction of the Mobile and Girard railroad, that the said railroad company shall be required to take lands in the even numbered sections in lieu of lands occupied by settlers in the odd numbered sections, within the limits of said grant.

H. B. 143. An act to amend section 4013 of the Revised Code.

Respectfully,

L. R. DAVIS,
Private Secretary.

By leave, Mr. Chambers offered the following resolution, which was adopted:

Resolved, That a committee of five be appointed by the speaker to wait upon Hon. Thos. A. Hendricks, governor of Indiana, who is now in the city, and extend to him the courtesies of the house of representatives of Alabama.

Committee: Messrs. Chambers, Beirne, Smith of Franklin, Brewer and Coon.

On motion of Mr. Price, the house concurred in the senate amendments to the bill—

B. H. 236. To regulate liens of mechanics and other persons.

Yeas 62, nays 3.

Those who voted yea are—

Messrs. Speaker, Andrews, Barnett, Barron, Betts, Billups,

Blevins, Bliss, Bonner, Bozeman, Baker, Brown, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Hamilton, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Martin, Mitchell, Price, Prowell, Reid, Rice, Ross, Rousseau, Shepard, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—62.

Those who voted nay are—

Messrs. Harris of Dallas, Mathews and Lee—3.

Mr. Barnett, from the committee on ways and means, reported favorably, with amendment, to the bill—

H. B. 483. To authorize the corporate authorities of the city of Montgomery to levy and collect a tax upon personal property.

Amend by striking out the proviso to the bill.

The amendment was adopted, and the bill read the third time and passed—yeas 65, nays 6.

Those who voted yea are—

Messrs. Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Bozeman, Brewer, Baker, Brown, Cashin, Chambers, Clements, Cook, Coon, Cockrell, Edwards, Espy, Fagan, Farriss, Fielder, Gibson, Grant, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Martin, Matthews, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—65.

Those who voted nay are—

Messrs. Bennett, Blevins, Bliss, Boyd, Lee and Reid—6.

Also, from same committee, favorably, with amendment, to the bill—

H. B. 482. To regulate taxation upon express companies.

Amend by striking out "five thousand" and inserting "thirty-five hundred."

The amendment was adopted, and the bill read the third time and passed—yeas 65, nays 11.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Bonner, Boyd, Bozeman, Baker, Brown, Carson,

Chambers, Clements, Coon, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Townsend, Troup, Wharton, Wilson, Wood of Talladega and Woolf—65.

Those who voted nay are—

Messrs. Baldwin, Blevins, Bliss, Brantley, Cashin, Cook, Cockrell, Fagan, Gilmer, of Montgomery, Lee and Wither-
spoon—11.

Also, favorably to the senate bill—

s. B. 181. To provide for the settlement of so much of the taxes for the year 1875, as have been collected by the collector for the year 1874.

Which bill was read the third time and passed—yeas 53, nays 8.

Those who voted yea are—

Messrs. Andrews, Barnett, Barron, Beirne, Betts, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Coon, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Lee, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Maples, Matthews, Prowell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—53.

Those who voted nay are—

Messrs. Baldwin, Blevins, Bliss, Brantley, Cashin, Cook, Cockrell, Fagan, Gilmer of Montgomery, Lee and Wither-
spoon—11.

Also, favorably, with amendment, to the senate bill—

s. B. 395. To authorize the auditor to draw a warrant on the State treasurer in favor of Mrs. Elvira F. Chilton, for amount of State taxes for the year 1873, overpaid by her, and authorizing payment of such warrant.

Amend section 1, by substituting the figures "\$65.10," for the figures "81.00," where they occur.

The amendment was adopted, and the bill read the third time and passed—yeas 70, nays 1.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barnett, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Cashin,

Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Chambers, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Locke, Maples, Martin, Mathews, Mitchell, Prowell, Purcell, Reese, Reid, Rice, Ross, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—70.

Nay—Mr. Witherspoon—1.

Mr. Barnett, from same committee, reported favorably to the substitute for the bill—

H. B. 357. To pay Mrs. Narcissa H. Heidt, administratrix of the estate of E. A. Heidt, deceased, for advertising lands in the county of Perry, in the State of Alabama, to be sold for taxes.

Mr. Harris of Perry moved to amend by striking out “\$529.33” and inserting “\$200.”

Also, amend by requiring the county of Perry to pay one hundred dollars.

The amendments were lost.

Mr. Woolf moved to amend by striking out the second section. Adopted.

Mr. Harris of Perry moved to amend by striking out “\$529.33” and inserting “\$300.”

Which, on motion of Mr. Barnett, was laid on the table.

The substitute was then adopted, and the bill read the third time and passed—yeas 50, nays 13.

Those who voted yea are—

Messrs. Speaker, Andrews, Barnett, Barron, Betts, Billups, Bliss, Bonner, Bozeman, Baker, Brown, Clements, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Gullledge, Hamilton, Harris of Perry, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Reid, Ross, Rousseau, Shepard, Stallworth, Stevens, Tate, Townsend, Wilson, Witherspoon, Wood of Talladega, and Woolf—50.

Those who voted nay are—

Messrs. Aldridge, Boyd, Cook, Franklin, Harris of Dallas, Lee, Lewis, Locke, Martin, Mathews, St. John, Troup and Wharton—13.

SENATE BILLS ON SECOND READING.

The senate bills—

s. B. 227. To regulate the granting of licenses to retail vinous or spirituous liquors in this State ;

s. B. 375. For the relief of Mrs. Eliza Hunsucker, of St. Clair county ;

s. B. 367. To incorporate the town of Fredonia, in Chambers county ;

s. B. 335. To delare a lien in favor of tenants in common on crops grown by them, for advances made by them in cer-cases ;

s. B. 336. To authorize and regulate the partition of crops among tenants in common, or joint owners therein, and to enforce liens thereon in certain cases ;

s. B. 416. To fix the times of holding the circuit courts in the second judicial circuit ;

s. B. 356. To establish a board of revenue for Lowndes county, and to define the duties and powers of said board of revenue ;

s. B. 355. To abolish the court of county commissoners of Lowndes county ;

Were severally read once, and ordered to a second reading on to-morrow.

MESSAGES FROM THE SENATE.

SENATE CHAMBER,
March 3, 1876.

Mr. Speaker :

The senate has originated and passed the following bill, and ordered the same to the house without being engrossed :

s. B. 406. To authorize the city of Montgomery to work, outside the city limits, persons convicted of violations of ordinances of the city.

Respectfully,
S. B. BREWER,
Sec'y of Senate.

SENATE CHAMBER,
March 3, 1876.

Mr. Speaker :

The senate has originated and passed the following bill, and ordered the same forthwith to the house :

s. B. 386. To induce immigration to the State of Alabama, and to provide for the appointment of a commissioner and two assistant commissioners of immigration.

And has concurred in the house amendments to the following senate bills :

s. B. 48. To prescribe the manner in which exemption of property from sale on execution, or other process of any court in this State, may be waived.

s. B. 395. To authorize the Auditor to draw a warrant on the State Treasurer, in favor of Mrs. Elvira F. Chilton, for amount of State taxes for the year 1873 overpaid by her, and authorizing payment of such warrant.

The senate concurs in the recommendations of the committee of conference, adhering to its first four amendments to house bill—

H. B. 49. To arrange the courts by districts in the southern chancery division;

And receding from its fifth amendment, and has ordered that the house be notified forthwith of its action.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

Mr. Tate submitted the following

REPORT.

Mr. Speaker :

The conference committee of the two houses, to which was referred the consideration of the senate amendments to the house bill No. 49, to be entitled an act to arrange the courts by districts in the southern chancery division, have had the same under consideration, and respectfully recommend that the senate adhere to all its amendments to the bill, except number five, and that it recede from amendment number five, and that the house concur in the amendments to which the senate is recommended to adhere.

All of which is respectfully submitted.

N. N. CLEMENTS,
Chairman of House Com.

The house concurred in the report of the committee by the following vote—yeas 56, nays 8.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Betts, Billups, Bonner, Bozeman, Baker, Brown, Clements, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullledge, Hamilton, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Ross, Rousseau, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—56.

Those who voted nay are—

Messrs. Bliss, Cook, Harris of Dallas, Huey, Lee, Lewis, Locke and Mathews—8.

Mr. Price, from special committee, reported favorably to the bill—

H. B. 471. To construe the law requiring notary public to affix a stamp to the value of one dollar to the official seal ;

Which bill was read the third time and passed—yeas 64, nays 5.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Betts, Bliss, Bonner, Bozeman, Baker, Brown, Clements, Cook, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Hamilton, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mathews, McDuffie, Mitchell, Price, Prowell, Purcell, Ross, Rousseau, Shepard, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—64.

Those who voted nay are—

Messrs. Blevins, Boyd, Harris of Dallas, Locke and Reid—5.

RECEPTION OF HON. THOS. A. HENDRICKS OF INDIANA.

The Hon. Thos. A. Hendricks was introduced to the house by Mr. Chambers, on behalf of the committee appointed to wait upon him, and he was welcomed to the courtesies of the house by the speaker.

And on motion of Mr. Chambers, an informal recess of ten minutes was taken to allow members an opportunity to be introduced to Mr. Hendricks.

At the expiration of the ten minutes, the house was called to order.

Mr. Price, from the committee on local legislation, reported favorably to the bill—

H. B. 427½. To create a lien on ships, steamboats and other water crafts, in certain cases ;

Which bill was read the third time and passed—yeas 65, nays 1.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barnett, Beirne, Bliss, Bonner, Bozeman, Brown, Chambers, Cook, Coon, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Locke, Maples, McDuffie, Mitchell, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—65.

Mr. Bennett voted nay.

Mr. Fielder, from the committee on the penitentiary, reported favorably to the senate bill—

S. B. 373. To authorize the warden of the penitentiary to contract with the South and North Alabama Railroad Company for the employment of convicts ;

Which bill was read the third time and passed—yeas 53, nays 14.

Those who voted yea are—

Messrs. Speaker, Andrews, Barron, Beirne, Bliss, Bonner, Boyd, Brown, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Gullett, Hamilton, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Kimmey, Kirkland, Leslie, Locke, Maples, Mitchell, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—53.

Those who voted nay are—

Messrs. Baldwin, Bennett, Billups, Blevins, Bozeman, Baker, Davis, Franklin, Harris of Dallas, Lee, Martin, Mathews and Reid—14.

By leave, Mr. Troup, from the committee on the military, reported favorably to the bill—

H. B. 468. To organize the militia of Alabama ;

Which bill was read the third time and passed—yeas 45, nays 23.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barron, Beirne, Billups, Bonner, Baker, Brown, Crews, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gullledge, Hamilton, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, Straughn, Tate, Troup, Wharton and Wilson—45.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Bliss, Boyd, Cook, Coon, Fagan, Harris of Dallas, Harris of Perry, Holloway, Lee, Lewis, Locke, Martin, Mathews, McDuffie, Reese, Reid, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—23.

By leave, Mr. Stallworth, from the committee on corporations, reported favorably to the senate bill—

s. B. 396. To prescribe the oath of office to be taken by the mayor and aldermen of the various cities in this State ;

Which bill was read the third time and passed—yeas 55, nays 12.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Beirne, Bonner, Baker, Brown, Cashin, Clements, Crews, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Hamilton, Harris of Chambers, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Woolf—55.

Those who voted nay are—

Messrs. Billups, Blevins, Bliss, Boyd, Bozeman, Harris of Dallas, Lee, Locke, Mathews, Reese, Reid and Wynne—12.

Also, favorably to the bill—

H. B. 402. To repeal an act to incorporate the town of Lowndesboro, in Lowndes county, and to amend the charter of the town of Hayneville, approved February 20, 1866, so far as the same applies or relates to Lowndesboro ;

Which bill was read the third time and passed—yeas 60, nays 8.

Those who voted yea are—

Messrs. Aldridge, Andrews, Baldwin, Barron, Beirne, Bliss, Bonner, Bozeman, Baker, Brown, Clements, Cockrell, Crews,

Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Gullledge, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Kimmey, Kirkland, Lee, Leslie, Lewis, Lewis, Locke, Maples, Martin, McDuffie, Mitchell, Price, Prowell, Price, Prowell, Rice, Ross, Rousseau, Shepard, Sims, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—60.

Those who voted nay are—

Messrs. Blevins, Boyd, Cook, Fagan, Reese, Reid, Wither-
spoon and Wynne—8.

Mr. Price, from the committee on local legislation, reported favorably with amendment to the bill—

H. B. 466. To authorize board of revenue of Montgomery county to divide Montgomery county into election precincts.

Amend by additional section, as section 3 ;

The amendment was adopted, and the bill read the third time and passed—yeas 50, nays 17.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Bliss, Bonner, Bozeman, Brewer, Brown, Chambers, Clements, Davis, Cook, Crews, Dillon, Edwards, Espy, Gibson, Gilmer of Montgomery, Greene of Lee, Hamilton, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Kimmey, Kirkland, Leslie, Maples, Mitchell, Price, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, and Woolf—50.

Those who voted nay are—

Messrs. Baldwin, Blevins, Boyd, Cashin, Cook, Coon, Fagan, Harris of Dallas, Harris of Perry, Lee, Locke, Martin, Mathews, Reese, Reid, Wood of Marengo, and Wynne—17.

The senate bills—

S. B. 386. To induce immigration to the State of Alabama, and to provide for the appointment of a commissioner, and two assistant commissioners of immigration ;

S. B. 406. To authorize the city of Montgomery to work outside the city limits persons convicted of violations of ordinances of the city ;

Were severally read once and ordered to a second reading on to-morrow.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

March 3, 1876.

Mr. Speaker :

The senate has passed and ordered forthwith to the house the house bills :

H. B. 416. Joint memorial of the general assembly of Alabama to the congress of the United States, asking appropriations for the survey of Sipsey river, in this State ;

H. B. 432. To repeal an act to increase the per diem of the county commissioners of the counties of Henry, Barbour, Wilcox and Washington, approved March 14, 1873, so far as the same relates to the county of Henry ;

H. B. 431. To repeal an act to increase and regulate the pay of jurors, and witnesses in the county of Henry, approved February 17, 1871.

And has amended, as therein shown, and passed, and ordered to the house the house bill—

H. B. 383. For the relief of J. R. Wing, and other persons therein named.

Respectfully,

S. B. BREWER,

Sec'y of Senate.

MESSAGE FROM THE GOVERNOR.

EXECUTIVE DEPARTMENT,

March 3, 1876.

Mr. Speaker—

The Governor has approved the following bills which originated in the house of representatives :

H. B. 273. An act to incorporate the volunteer military company in the city of Greenville, and to grant certain privileges ;

H. B. 400. An act to provide for a vote of the people on the subject of a permanent location of the county site of DeKalb county ;

H. B. 298. An act to incorporate the North Alabama Immigration Aid Society.

Respectfully,

L. R. DAVIS,

Private Sec'y.

On motion of Mr. Beirne, the senate joint resolution on final adjournment, was taken up ;

Pending the consideration of which, on motion of Mr. Beirne, the house took a recess until 7½ p. m.

EVENING SESSION.

The house met pursuant to adjournment.

JOINT RESOLUTION.

By leave, Mr. Wood of Talladega offered the following joint resolution :

H. R. 485. *Resolved by the House* (the senate concurring,) That a joint committee of five, three to be appointed by the speaker of the house and two on the part of the senate, be raised for the purpose of inquiring into and investigating the receipt by the Auditor of the State of the sum of \$29,750.00, from the Ala. Agricultural & Mechanical College, as per Auditor's report for the year 1874, (see p. 28) and further, to inquire into the statement made by the Auditor in said report, (see page 8,) of the payment, by the State Treasurer, (Hon. Arthur Bingham) of the sum of \$35,000.00 in bonds of the issue of 1872, to the said Alabama Agricultural & Mechanical College.

Resolved further, That said committee shall have power to send for persons and papers, and shall report the result of their investigation to his Excellency, the Governor.

The resolution was adopted.

On motion of Mr. Wood of Talladega, Mr. Chambers was appointed chairman of the committee on the part of the house.

By leave, Mr. Billups, from the committee on privileges and elections, reported favorably to the senate bill—

S. B. 366. To amend section nine of an act to provide for the registration of electors in this State, approved March 18, 1875.

Which bill was read the third time and passed—yeas 48, nays 10.

Those who voted yea are—

Messrs. Aldridge, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Coon, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Frank-

lin, Gibson, Greene of Lee, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Price, Prowell, Purcell, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Troup, Wilson and Woolf—48.

Those who voted nay are—

Messrs. Baldwin, Boyd, Harris of Dallas, Lewis, Locke, Reese, Reid, Witherspoon, Wood of Marengo, and Wood of Talladega—10.

Also, favorably to the senate bill—

s. B. 214. To amend section twenty-three of an act to regulate elections in the State of Alabama, approved March 3, 1875.

Which bill was read the third time and passed—yeas 57, nays 9.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Hamilton, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Maples, Martin, Mathews, Price, Prowell, Purcell, Reid, Rice, Ross, Rosseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wilson, Wood of Talladega, and Woolf—57.

Those who voted nay are—

Messrs. Bozeman, Harris of Perry, Harris of Dallas, Lee, Locke, Reese, Witherspoon, and Wood of Marengo—8.

Mr. Barnett submitted the following report:

Mr. Speaker:

The committee of conference, appointed by the senate and house of representatives, to take into consideration the disagreements of the two houses, upon the senate amendments Nos. 23 and 27 of the bill, to establish a revenue code for the State of Alabama, have had the same under consideration, and instruct me to report favorably to senate amendment No. 23, with the following *proviso* to be added to the end of section one, chapter ten:

“Provided, That all suits upon official bonds of officers charged with the assessment and collection of the revenue of the State, may be instituted in any court of the county of Montgomery having jurisdiction, on twenty (20) days notice.”

The committee instruct me to further report a substitute

for senate amendment No. 37, as follows (which is the closing section of the bill):

"Section 7. Be it further enacted, That no city (except Mobile, Montgomery and Selma) or town or county shall assess, levy or collect any license tax on any business or occupation upon which the State does not assess, levy or collect such license tax; Provided, nothing herein contained shall affect the provisions of the act, for the reduction and funding of the debt of the city of Mobile, approved March 9, 1875."

S. A. BARNETT,
Chairman.

Mr. Harris of Perry called for a division of the question, it being the adoption of the report.

And the vote being taken, first, on the adoption of that part of the report recommending the adoption of amendment No. 23, with the *proviso* thereto, resulted—

Yeas 62, nays 5.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bliss, Bonner, Boyd, Bozeman, Brewer, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Hamilton, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Mathews, Price, Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Woolf—62.

Those who voted nay are—

Messrs. Blevins, Harris of Dallas, Lee, Martin and Reid—5.

And that part of the report recommending a substitute for senate amendment No. 27, (as section 7) was adopted—yeas 46, nays 22.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Bonner, Brewer, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Farriss, Fielder, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Maples, Price,

Prowell, Purcell, Rice, Ross, Rousseau, Smith of Franklin, Stallworth, Stevens, Tate, Troup and Woolf—46.

Those who voted nay are—

Messrs. Baldwin, Blevins, Bliss, Boyd, Bozeman, Cook, Coon, Espy, Fagan, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Mathews, Reid, Wharton, Witherspoon, Wood of Marengo, Wood of Talladega, and Wynne—22.

By leave, Mr. Herman, from the committee on appropriations, reported favorably to the bill—

H. B. 476. For the relief of maimed soldiers.

Mr. Kimmey moved to amend by making the pay for each limb furnished "fifty dollars." Adopted.

Mr. Coon moved to amend by striking out the word "Confederate," in section one.

Mr. Higgins moved as a substitute, to amend as follows: "Provided, That the provisions of this act shall apply to soldiers who fought in the Federal service, not already provided for."

On motion of Mr. Betts, the amendments were laid on the table.

Yeas 54, nays 16.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Lewis, Maples, Mathews, Price, Prowell, Purcell, Rice, Rousseau, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—54.

Those who voted nay are —

Messrs. Baldwin, Blevins, Bliss, Boyd, Cook, Coon, Espy, Fagan, Harris of Dallas, Harris of Perry, Lee, Locke, Martin, Reese, Reid and Wood of Talladega—16.

Mr. Betts moved to reconsider the vote by which the amendment of Mr. Kimmey was adopted.

Mr. Straughn moved to lay the motion on the table.

Lost. And the motion to reconsider carried.

Mr. Betts moved to lay the amendment on the table.

The yeas and nays being called for,

The speaker put the question, "Is the call sustained?" and decided that it had been sustained.

Mr. Franklin appealed from the decision of the chair.

And the question being :

Shall the decision of the chair stand as the decision of the house?

It was put and the chair was sustained.

The motion to lay on the table prevailed.

Yeas 41, nays 24.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Bozeman, Brewer, Chambers, Clements, Coon, Crews, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Herman, Holloway, Huey, Jones of Pickens, Jones of Russell, Leslie, Lewis, Maples, Prowell, Rice, Shepard, Stevens, St. John, Troup, Witherspoon, Wood of Marengo, and Woolf—41.

Those who voted nay are—

Messrs. Andrews, Baldwin, Brown, Coon, Espy, Fagan, Harris of Dallas, Harris of Perry, Heaton, Jenkins, Kimmey, Lee, Locke, Martin, Mathews, Purcell, Reese, Ross, Smith of Franklin, Stallworth, Straughn, Tate, Wilson and Wood of Talladega—24.

Mr. Woolf moved to amend by adding the following to section 1:

“Provided, That if any such soldier is so maimed, that he can not wear an artificial limb, then he shall receive the amount of money specified in lieu thereof.

The amendment was adopted, and the bill read the third time and passed—yeas 60, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barron, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Brown, Chambers, Clements, Cook, Crews, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Lee, Leslie, Lewis, Maples, Martin, Mathews, Price, Prowell, Purcell, Reese, Rice, Ross, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—60.

Nay—Mr. Locke.

Mr. Greene of Lee, from special committee, reported favorably to the senate bill—

S. B. 402. To authorize the court of county commissioners of the counties of Lee and Tallapoosa to compromise and

settle the bonded indebtedness of said counties, issued in payment of stock subscribed by said counties to railroad companies.

Which bill was read the third time and passed—yeas 57, nays 3.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Betts, Billups, Bliss, Bonner, Brewer, Brown, Chambers, Clements, Cook, Davis, Dillon, Edwards, Espy, Farriss, Gibson, Greene of Jefferson, Greene of Lee, Hamilton, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Lee, Leslie, Lewis, Locke, Maples, Mathews, Price, Prowell, Reese, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, Straughn, Troup, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—57.

Those who voted nay are—

Messrs. Baldwin, Coon, and Fagan—3.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following as correctly enrolled:

H. B. 431. An act to repeal an act to increase and regulate the pay of jurors and witnesses in the county of Henry, approved February 17, 1871.

H. B. 432. An act to repeal an act to increase the per diem of the county commissioners of the counties of Henry, Barbour, Wilcox and Washington, approved March 14, 1873, so far as relates to the county of Henry.

SIGNING BILLS.

And the Speaker, in the presence of the house and immediately after the title had been publicly read, signed said bills.

Mr. Billups offered the following joint resolution:

Resolved by the house, (the senate concurring), That the general assembly adjourn sine die on Tuesday next, 12 o'clock, m.

Pending the consideration of which, on motion of Mr. Blevins, the house adjourned until to-morrow morning, nine o'clock.

FIFTY-EIGHTH DAY.

SATURDAY, March 4, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Stringfellow.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Bennett, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Cashin, Chambers, Clements, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rosseau, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—72.

Journal of yesterday was read and approved.

The speaker announced the following as the committee under the resolution of Mr. Wood of Talladega: Messrs. Chambers, Wood of Talladega and Brewer.

On motion of Mr. Higgins, the senate bill—

S. B. 291. To amend section one of an act to prohibit attorneys from practicing their profession in the probate and chancery courts in certain cases, approved 11th February, 1871;

Was taken from the table.

And the bill was read the third time and passed—yeas 52, nays 28.

Those who voted yea are—

Messrs. Speaker, Andrews, Barron, Bennett, Bliss, Boyd, Brewer, Brown, Chambers Cook, Coon, Davis, Dillon, Edwards, Espy, Fagan, Fielder, Franklin, Greene of Lee, Harris of Dallas, Harris of Perry, Herman, Higgins, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Price, Prowell, Purcell, Reese, Reid, Rousseau, Shepard, Stevens, St. John, Tate,

Townsend, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—52.

Those who voted nay are—

Messrs. Aldridge, Baldwin, Beirne, Betts, Billups, Blevins, Bonner, Baker, Brantley, Cashin, Clements, Cockrell, Farriss, Gibson, Greene of Jefferson, Gullledge, Heaton, Holloway, Leslie, Ross, Smith of Franklin, Troup and Wood of Talladega—23.

By leave, Mr. Witherspoon introduced a bill—

H. B. 486. To prevent fraud in the sale of shoes;

Which bill was read once and ordered to a second reading on to-morrow.

SENATE BILLS ON SECOND READING.

The senate bills—

s. B. 227. To regulate the granting of licenses to retail vinous or spirituous liquors in this State;

s. B. 325. To declare a lien in favor of tenants in common on crops grown by them for advances made by them in certain cases;

s. B. 336. To authorize and regulate the partition of crops among tenants in common, or joint owners therein, and to enforce liens thereon in certain cases;

Were severally read the second time and referred to the judiciary committee.

The senate bill—

s. B. 367. To incorporate the town of Fredonia, in Chambers county;

Was read the second time and referred to the committee on corporations.

The senate bill—

s. B. 375. For the relief of Mrs. Eliza Hunsucker, of St. Clair county;

Was read the second time and referred to the committee on ways and means.

The senate bill—

s. B. 416. To fix the times of holding the circuit courts in the second judicial circuit;

Was read the second time and referred to the committee on local legislation.

The senate bill—

s. B. 386. To induce immigration to the State of Alabama, and to provide for the appointment of a commissioner and two assistant commissioners of immigration;

Was read the second time and referred to the special committee on immigration.

The senate bills—

S. B. 356. To establish a board of revenue for Lowndes county, and to define the duties and powers of said board of revenue;

S. B. 355. To abolish the court of county commissioners of Lowndes county;

Were severally read the second time and referred to a special committee of five.

Committee—Messrs. Betts, Prowell, McDuffie, Wharton and Jones of Russell.

The senate bill—

S. B. 406. To authorize the city of Montgomery to work, outside the city limits, persons convicted of violations of ordinances of the city;

Was read the second time and referred to the committee on corporations.

The senate joint memorial—

S. M. 418. To the congress of the United States, for the improvement of the harbor of Mobile;

Was read and adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

March 4, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 260. To protect the rights of claimants, in suits for the recovery of personal property in specie.

H. B. 454. To carry into effect and to regulate contracts made under section 30 of article 4 of the constitution of this State.

H. B. 393. To amend section 2961 of the Revised Code.

And has amended, as therein shown, and passed the following house bills :

H. B. 292. To prevent clerks, deputy clerks and employees from practicing law in courts in which they are clerks, deputy clerks or employees.

H. B. 448. To provide for the keeping of dockets in criminal cases by justices of the peace and notaries public.

And has originated and passed the following bill, and ordered the same forthwith to the house without engrossment :

s. B. 364. To prescribe the duties of courts of probate in certain cases.

And has concurred in the house substitute to the senate bill—

s. B. 1. To provide for the recording of certain papers by clerks of the circuit courts, registers in chancery and judges of probate.

And has adopted the following house joint resolution :

H. B. 484. Joint resolution requiring the Superintendent of Education to examine into and report to the next general assembly the situation and condition of all lands donated by congress to this State for school purposes.

And has passed the following house bill :

H. B. 199. To regulate the publication of legal notices in the county of Marshall.

And has amended, as therein shown, and passed the house bill—

H. B. 444½. A bill to be entitled an act to secure the payment to the State of United States currency, paid to tax collectors and other officers, to provide for setting aside a certain portion of the revenue, and the issuance of bonds for the purpose of paying interest on the public debt.

And has originated and passed the following bills :

s. B. 397. To repeal an act to prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors, or any intoxicating bitters, within one mile and a half of the town of Cherokee, in Colbert county.

s. B. 415. To prescribe the time for holding the chancery court in the county of Monroe.

The senate has amended, as therein shown, and passed the house bill—

H. B. 302. To regulate duties and provide for the compensation of solicitors of judicial circuits.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

The senate bills—

s. B. 415. To prescribe the time for holding the chancery court in the county of Monroe.

s. B. 397. To repeal an act to prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors, or any intoxicating bitters, within one mile and a half of the town of Cherokee, in Colbert county ;

Were severally read once, and ordered to a second reading on to-morrow.

The house concurred in the amendment of the senate to the bill—

H. B. 383. For the relief of J. R. Wing and other persons therein named—yeas 72, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Cook, Coon, Cockrell, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—72.

Also, concurred in the amendments of the senate to the bill—

H. B. 444½. To secure the payment to the State of United States currency, paid to tax collectors and other officers, to provide for setting aside a certain portion of the revenue and the issue of bonds for the purpose of paying interest on the public debt—yeas 68, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Cashin, Chambers, Cockrell, Davis, Dillon, Edwards, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Kimmey, Kirkland, Leslie, Lewis, Maples, Martin, Mathews, McDuffie, Mitchell, Prowell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—68.

Mr. Cook voted nay.

On motion of Mr. Chambers, the amendment of the senate to the bill—

H. B. 122. To fix the time for holding the circuit courts of the ninth (9th) judicial circuit ;

Was referred to a special committee, composed of the representatives from the ninth circuit.

The house then proceeded to the consideration of the joint resolution on final adjournment, pending at adjournment on yesterday.

Mr. Brown moved to amend by way of substitute as follows :

Resolved by the house, (the senate concurring,) That a joint committee of five, three from the house and two from the senate, be appointed to recommend a day for the adjournment of this general assembly.

The substitute was adopted, and the resolution as amended was adopted.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 4, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 329. To repeal an act to prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, within three miles of Locust Grove Baptist Church, in Madison county.

H. B. 378. To repeal so much of an act to prohibit any person or persons from giving away, selling, or offering for sale any vinous or spirituous liquors within three miles of Limeville Baptist Church, in Shelby county, or within one mile of Hamburg in Perry county, as relates to the prohibition within three miles of Limeville Baptist Church, in Shelby county.

H. B. 422. To repeal section one of an act in relation to the prohibition of the sale or giving away of vinous or spirituous liquors within two miles of Gayesville High School, Cherokee county, and other counties therein named, approved December 17, 1873, so far as the same applies to Vernon, Sanford county.

H. B. 94. To authorize the Governor to issue a patent for the north half of section 16, township 12, range 14, east, to Wiley L. Metcalf, of Sanford county.

The senate has adopted the following joint resolution :

Resolved by the Senate, (the house concurring,) That a committee of two on the part of the senate, and three on the part

of the house of representatives, be appointed to fix the time of the adjournment of the present general assembly;

Committee—Messrs. Little and Driesbach.

And has passed the following house bills:

H. B. 469. To transfer certain school furniture to the State normal school at Florence;

H. B. 382. To establish separate school districts within the several counties of this State.

And has originated and passed the following bill, and ordered the same forthwith to the house, without engrossment:

S. B. 282. To authorize and empower the "Troy Female College" to issue diplomas, or other evidences of educational attainment;

S. B. 285. To amend section 2900 of the Revised Code;

S. B. 369. To make printers bills a part of the costs in cases where publication is made.

Respectfully,

S. B. BREWER,
Secretary.

On motion of Mr. Woolf, the house concurred in the senate joint resolution raising a joint committee to fix a day for the final adjournment of the general assembly;

Committee on the part of the house—Messrs. Smith of Franklin, Price and Woolf.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary, Mr. Davis:

EXECUTIVE DEPARTMENT,

March 4, 1876.

Mr. Speaker:

The Governor has approved the following bills, which originated in the house of representatives:

H. B. 431. An act to repeal an act to increase and regulate the pay of jurors and witnesses in the county of Henry, approved February 17, 1871;

H. B. 432. An act to repeal an act to increase the per diem of the county commissioners of the counties of Henry, Bar-

bour, Wilcox, and Washington, approved March 14, 1873, so far as the same relates to the county of Henry.

Respectfully,

L. R. DAVIS,
Private Secretary.

Mr. Woolf submitted the following

REPORT :

To the General Assembly of the State of Alabama :

The joint committee of conference, appointed by the house on the disagreement of the two houses in relation to the bill entitled "An act to provide for the impeachment and removal from office of the officers mentioned in section 2 and section 3 of article viii of the constitution of Alabama," have agreed in relation thereto, and instruct me to report the following, to-wit, that the bill as amended and passed by the senate be amended as follows :

Prefix the following to section 21 :

SECTION 21. *Be it further enacted,* That the information hereinbefore authorized for the institution of proceedings for impeachment of the officers herein named, shall, before presentation to any court for trial, and before any summons be issued thereon, be approved by the finding of the grand jury of the county in which the facts alleged in the information, or a material portion or part thereof, are alleged to have occurred; and if the charges are found by such grand jury to be true, the information shall be indorsed by the foreman thereof, "approved, this——day of——A. D.——, by the grand jury of——county," and shall be signed by said foreman; if not approved, such disapproval shall be indorsed in the manner above described;

And in the fourth line, same section, substitute for "or any member thereof," "or any information as hereinbefore provided."

All of which is respectfully submitted, with the recommendation that the report be concurred in.

H. A. WOOLF,
Chm'n House Com.
PETER HAMILTON,
Chm'n Senate Com.

The house adopted the report of the committee of conference by the following vote:

Yeas 57, nays 16.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Crews, Davis, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Lee, Gullledge, Harris of Perry, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Leslie, Lewis, Locke, Maples, Mathews, Price, Prowell, Rice, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—57.

Those who voted nay are—

Messrs. Bennett, Blevins, Bliss, Boyd, Cashin, Cook, Coon, Fagan, Harris of Dallas, Lee, Martin, Reed, Smith of Bullock, Reese, Witherspoon and Wood of Marengo—16.

SPECIAL ORDER.

The hour of eleven o'clock having arrived, the house proceeded to the consideration of the special order for this hour, it being the senate bill—

S. B. 361. To provide for the payment of the commissioners, appointed under the act approved December 17th, 1874, to liquidate and adjust all claims against the State of Alabama, arising from bonds, issued or endorsed in the name of the State.

The question pending being the amendments offered by Mr. Rice;

The amendments were lost—Yeas 24, nays 52.

Those who voted yea are—

Messrs. Baldwin, Beirne Betts, Billups, Blevins, Bliss, Cashin, Cook, Coon, Espy, Fagan, Franklin, Greene of Jefferson, Harris of Dallas, Locke, Martin, Mathews, Reese, Reid, Rice, Smith of Bullock, St. John, Witherspoon, and Wood of Marengo—24.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Bennett, Bonner, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cockrell, Crews, Dickson, Dillon, Edwards, Farriss, Fielder, Gibson, Greene of Lee, Gullledge, Heaton, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Maples, Mitchell, Price, Prowell,

Purcell, Ross, Shepard, Smith of Franklin, Stallworth, Stevens, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega and Woolf—52.

Mr. Martin moved to amend by striking out "\$3,500" and inserting "\$3,100."

Which, on motion of Mr. Prowell, was laid on the table.

And the bill was read the third time and passed—yeas 54, nays 25.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Bonner, Brewer, Baker, Brown, Chambers, Clements, Coon, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Green of Lee, Gullede, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Maples, Mathews, Mitchell, Price, Prowell, Purcell, Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega, and Woolf—54.

Those who voted nay are—

Messrs. Baldwin, Bierne, Bennett, Betts, Billups, Blevins, Bliss, Boyd, Bozeman, Brantley, Cashin, Cook, Cockrell, Fagan, Greene of Jefferson, Harris of Dallas, Harris of Perry, Lewis, Locke, Martin, Reid, Rice, Smith of Bullock, Witherpoon and Wood of Marengo—25.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

March 4, 1876.

Mr. Speaker:

The senate has passed the following bills:

H. B. 427. To provide for the salaries of judges appointed or elected to fill vacancies occurring before the next general election for such officers.

H. B. 428. For the relief of the clerks of the city and other criminal courts of this State.

H. B. 309. To distribute to the federal judges and district attorneys copies of the Acts of the General Assembly, the Revised Code, and the Alabama Reports, the same as to the officers of the State.

H. B. 297. To fix the term of office of notaries public.

H. B. 287. To amend section 3633 of the Revised Code.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the following senate bills—

S. B. 39. To transfer all causes now pending and undetermined in the several circuit courts in this State, on the equity side thereof, to the chancery court of the district in which such causes are depending.

S. B. 308. To authorize the courts of probate to appoint special guardians, for wards, and make settlements of the estates of deceased persons, in certain cases.

S. B. 232. To amend subdivision 6 of section 680 of the Revised Code.

S. B. 256. To allow tax collectors to give separate bonds for the collection of the ordinary State and county taxes, and all other taxes for special purposes.

S. B. 230. To repeal an act to regulate the publication of legal notices in the counties of Blount, Talladega, Clay, Coosa and Tallapoosa, approved March 8, 1871, so far as the same applies to the county of Blount.

S. B. 193. To prevent the hiring of convicts sentenced to penitentiary imprisonment to their relatives or other persons therein named.

S. B. 317. To authorize the successors of foreign executors, administrators and guardians, acting under authority of former laws of this State, to execute the powers conferred on their predecessors in office.

S. B. 252. To require sheriffs and constables to levy first upon the crop of the tenant, before resorting to the crop of the subtenant, in case of attachment for rent and advances.

S. B. 48. To prescribe the manner in which the exemption of property from sale on execution, or other process of any court in this State, may be waived.

S. B. 129. For the appointment and compensation of special chancellor, in certain cases.

S. B. 18. To allow married women, in certain cases, to sue in their own names.

S. B. 334. Joint resolution requiring the reports of State officers and other public documents, submitted to the general assembly, to be filed and kept in the office of the Secretary of State.

S. B. 395. To authorize the Auditor to draw a warrant on the State Treasurer, in favor of Mrs. Elvira F. Chilton for

amount of State taxes for the year 1873 overpaid by her, and authorizing payment of such warrant.

S. B. 197. To prescribe the time in which prosecutions for certain offences therein named may be commenced ;

S. B. 242. To provide for the return to the office of the judge of probate of all the books furnished by the State to county solicitors ;

S. B. 183. To provide for the keeping of the session acts of the general assembly of Alabama, the supreme court reports, Smith's Condensed Reports, and Brickell's Digest, furnished by the State to each county, in the court room, during the session of court, and in the probate office or bar library at all other times.

S. B. 387. To extend the time for the publication of the unpublished decisions of the supreme court, prior to the January term, 1875.

S. B. 225. To preserve the numbers of the acts of the respective houses of the general assembly ;

S. B. 396. To prescribe the oath of office to be taken by the mayor and aldermen of the various cities in this State.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following correctly enrolled :

H. B. 383. For the relief of J. R. Wing, and other persons therein named.

H. B. 484. Joint resolution requiring the superintendent of education to examine into and report to the next general assembly the situation and condition of all lands donated by congress to this State for school purposes.

H. B. 199. An act to regulate the publication of legal notices in the county of Marshall.

H. B. 49. An act to arrange the courts by districts, in the southern chancery division.

H. B. 416. Joint memorial of the general assembly of Alabama to the Congress of the United States, asking appropriation for the survey of the Sipsey River, in this State.

H. B. 309. An act to distribute to the Federal judges and district attorneys for Alabama, copies of the acts of the general assembly, the Revised Code, and the Alabama reports, the same as to the officers of the State.

H. B. 260. An act to protect the rights of claimants in suits for the recovery of personal property in specie.

H. B. 428. An act for the relief of clerks of the city and other criminal courts of this State.

H. B. 427. An act to provide for the salaries of judges appointed or elected to fill vacancies occurring before the next general election for such officers.

H. B. 94. To authorize the Governor to issue a patent for the north half of section 16, township 12, range 14, east, to Wiley S. Metcalf of Sanford county.

H. B. 479. To authorize the construction of a breakwater in the bay and harbor of Mobile, and to incorporate certain persons therein named for that purpose.

H. B. 297. To fix the term of office of notaries public.

H. B. 469. To transfer certain school furniture to the State normal school at Florence.

H. B. 422. To repeal section one of an act in relation to the prohibition of the sale or giving away vinous or spirituous liquors within two miles of Gaylesville High School, Cherokee county, and other counties therein named, approved December 17, 1873, so far as the same relates to Vernon, Sanford county.

H. B. 236. To establish and regulate liens of mechanics and other persons.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills.

SENATE BILLS ON FIRST READING.

The senate bills—

s. B. 285. To amend section 2900 of the Revised Code.

s. B. 282. To authorize and empower the Troy Female College to issue diplomas or other evidences of educational attainment.

s. B. 369. To make printers' bills a part of the costs in cases where publication is made;

Were severally read once, and ordered to a second reading on to-morrow.

Mr. Price, from the special committee on the constitution, reported favorably to the senate bill—

s. B. 286. To amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 30, 31, 34, 41, 44 and 88 of an act to regulate elections in the State of Alabama, approved March 3, 1875.

Mr. Coon moved to postpone the further consideration of

the bill until Monday next, 12 m., and make it the special order for that hour ;

Lost.

Mr. Blevins moved to lay the bill on the table ;

Lost.

And the bill was read the third time and passed—yeas 48, nays 20.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Bonner, Brewer, Baker, Brown, Clements, Crews, Davis, Dickson, Edwards, Espy, Farriss, Fielder, Gibson, Greene of Lee, Gulledge, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Lee, Price, Prowell, Purcell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson and Woolf—48.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Boyd, Brantley, Cashin, Cook, Coon, Cockrell, Fagan, Harris of Dallas, Harris of Perry, Lewis, Locke, Martin, Mathews, Reese, Smith of Bullock, Witherspoon, Wood of Marengo, and Wood of Taladega—20.

Also, from committee on local legislation, reported favorably to the senate bill—

s. B. 298. To amend sections two, three and four of an act in relation to fences, the protection of crops and other property in Sumter and Pickens counties ;

Which bill was read the third time and passed—yeas 45, nays 17.

Those who voted yea are—

Messrs. Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Bonner, Baker, Brown, Chambers, Clements, Cockrell, Crews, Dickson, Dillon, Edwards, Farriss, Fielder, Gibson, Greene of Lee, Gulledge, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Price, Prowell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Townsend, Troup, Wharton, Wilson and Woolf—45.

Those who voted nay are—

Messrs. Blevins, Boyd, Brantley, Cashin, Coon, Fagan, Harris of Dallas, Harris of Perry, Lee, Lewis, Locke, Martin, Mathews, Reese, Witherspoon and Wood of Marengo—17.

Also, favorably to the senate bill—

s. B. 324. To regulate the terms of the circuit court of Dallas county ;

Which bill was read the third time and passed—yeas 49, nays 16.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Dickson, Dillon, Edwards, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullede, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Price, Prowell, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Townsend, Troup, Wharton, Wilson, Witherspoon and Woolf—49.

Those who voted nay are—

Messrs. Blevins, Bliss, Boyd, Brantley, Cashin, Cook, Coon, Fagan, Harris of Dallas, Harris of Perry, Martin, Mathews, Reese, Reid, Wood of Marengo and Wood of Talladega—16.

Also, favorably to the senate bill—

s. B. 279. To require persons holding claims against any county where the records have been destroyed by fire, to have them registered within twelve months ;

Which bill was read the third time and passed—yeas 62, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Fagan, Farriss, Fielder, Gibson, Greene of Jefferson, Greene of Lee, Gullede, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Locke, Martin, Mathews, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Townsend, Troup, Wharton, Witherspoon, Wood of Marengo, Wood of Talladega and Woolf—62.

Mr. Blevins voted nay.

Also, favorably to the senate bill—

s. B. 46. To regulate the purchase of stationery and other materials for the use of county officers in this State ;

Which bill was read the third time and passed—yeas 58, nays 2.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Beirne, Betts, Billups, Bliss, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Gibson, Greene of Jefferson, Greene

of Lee, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Lewis, Locke, Martin, Mitchell, Price, Prowell, Reese, Reid, Rice, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo and Woolf—58.

Those who voted nay are—

Messrs. Gullledge and Wood of Talladega—2.

Also, favorably to the senate bill—

s. B. 274. To authorize the issuance of branch summons by justices of the peace;

Which bill was read the third time and passed—yeas 51, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Baldwin, Barron, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Perry, Heaton, Higgins, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Lee, Lewis, Locke, Martin, Matthews, Mitchell, Price, Prowell, Reese, Reid, Rice, Ross, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo and Woolf—58.

Mr. Wood of Talladega voted nay.

Also, favorably to the senate bill—

s. B. 243. To regulate the trials of misdemeanors in Lauderdale county;

Which bill was read the third time and passed—yeas 63, nays 3.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barron, Beirne, Betts, Billups, Bliss, Boyd, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Gullledge, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Locke, Maples, Martin, Mathews, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo and Woolf—63.

Those who voted nay are—

Messrs. Blevins, Harris of Dallas, and Lee—3.

Also, favorably to the senate bill—

S. B. 263. To repeal an act to allow the court of county commissioners of Wilcox county to levy a tax greater than fifty per cent., approved October 10, 1868;

Which bill was read the third time and passed—yeas 63, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Barron, Beirne, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Brown, Chambers, Clements, Cook, Cockrell, Davis, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Gibson, Greene of Jefferson, Gulledge, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Lee, Leslie, Locke, Martin, Mathews, Price, Prowell, Purcell, Reese, Reid, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo and Woolf—6.

Mr. Brantley voted nay.

Mr. Woolf, from the committee on finance, reported favorably to the senate bill—

S. B. 245. To repeal an act to authorize the Governor to settle with the Montgomery and Enfaula Railroad Company, approved April 15, 1873;

Which bill was read the third time and passed—yeas 65, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barnett, Barron, Billups, Bennett, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Brown, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gulledge, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Lewis, Locke, Maples, Martin, Mathews, Price, Prowell, Purcell, Reese, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega and Woolf—65.

Mr. Lee voted nay.

Also, favorably to the senate bill—

S. B. 352. Requiring probate judges to cancel interest on State obligations in the manner as required by the State Treasurer;

Which bill was read the third time and passed—yeas 64, nays 6.

Those who voted yea are—

Messrs. Speaker, Aldridge, Baldwin, Barron, Beirne, Betts, Billups, Bonner, Boyd, Brewer, Brown, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Locke, Maples, Mathews, Price, Prowell, Purcell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—64.

Those who voted nay are—

Messrs. Bennett, Brantley, Coon, Cockrell, Fagan and Martin—6.

Also, favorably to the senate bill—

s. B. 164, To compromise the debt of any county in this State whose obligations are worth less than par value;

Which bill was read the third time and passed—yeas 59, nays 7.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barnett, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brantley, Brown, Chambers, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Greene of Lee, Gullledge, Harris of Dallas, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Leslie, Maples, Mathews, Mitchell, Price, Prowell, Purcell, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Troup, Wharton, Witherspoon, Wood of Talladega, and Woolf—59.

Those who voted nay are—

Messrs. Blevins, Boyd, Coon, Harris of Perry, Locke, Martin and Wood of Marengo—7.

Also, favorably to the bill—

H. B. 399. To amend an act to amend the first section of the act to provide for the funding of the domestic debt of the State, approved December 19, 1873;

Which bill was read the third time and passed—yeas 37, nays 29.

Those who voted yea are—

Messrs. Speaker, Andrews, Beirne, Betts, Billups, Bonner, Brown, Chambers, Clements, Crews, Dickson, Dillon, Ed-

wards, Espy, Farriss, Fielder, Gibson, Herman, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Mitchell, Prowell, Rice, Rousseau, Shepard, Stevens, St. John, Straughn, Townsend, Troup, Wilson, Witherspoon and Woolf—37.

Those who voted nay are—

Messrs. Allen, Aldridge, Baldwin, Bennett, Blevins, Boyd, Baker, Brantley, Cook, Coon, Cockrell, Fagan, Greene of Jefferson, Gullett, Harris of Dallas, Harris of Perry, Heaton, Higgins, Locke, Maples, Martin, Mathews, Reese, Reid, Sims, Smith of Franklin, Wharton, Wood of Marengo, and Wood of Talladega—29.

Mr. Woolf, in behalf of a majority of the committee on finance, reported favorably to the bill—

H. B. 238. To appropriate a certain sum therein named to secure a proper representation of the State at the centennial exhibition at Philadelphia.

Mr. Betts submitted the following minority report :

REPORT.

Mr. Speaker :

The undersigned being a minority of the committee on finance, beg leave to dissent from the majority report, and recommend that said bill do not pass.

E. C. BETTS,
WM. GILMER,
Of Lawrence.
F. W. BAKER.

On motion of Mr. Price, the further consideration of the bill and the reports was postponed until Monday next, and made the special order for 12 m.

Mr. Betts, from the committee on accounts and claims, reported favorably to the senate bill—

s. B. 380. To pay Jos. Baumer for articles furnished the senate chamber ;

Which bill was read the third time and passed—yeas 66, nays 1.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Chambers, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Fielder, Franklin,

Gibson, Greene of Jefferson, Greene of Lee, Gullede, Harris of Perry, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Martin, Mathews, Price, Purcell, Reese, Reid, Rice, Ross, Rousseau, Sims, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—66.

Mr. Bennett voted nay.

Mr. Greene of Lee, from the committee on fees and salaries, reported favorably, with amendment, to the senate bill—s. B. 112. To fix the compensation of the Superintendent of Education.

Amend by striking out "\$2,250," and inserting "\$2,700."

The amendment was adopted and the bill read the third time and lost—yeas 32, nays 37.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barnett, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bonner, Brewer, Brown, Chambers, Crews, Dickson, Dillon, Farriss, Harris of Perry, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Mitchell, Purcell, Rice, Shepard, Sims, Tate and Troup—32.

Those who voted nay are—

Messrs. Aldridge, Bliss, Boyd, Baker, Brantley, Cook, Cockrell, Davis, Edwards, Espy, Fagan, Franklin, Gibson, Gullede, Heaton, Herman, Jones of Russell, Kimmey, Kirkland, Locke, Martin, Mathews, Prowell, Reese, Reid, Ross, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—37.

Mr. Woolf moved to reconsider the vote by which the bill was lost.

Mr. Coon moved to lay the motion on the table. Lost;

And the motion to reconsider prevailed;

And the vote ordering the bill to a third reading was reconsidered.

On motion of Mr. Woolf, the vote adopting the amendment was reconsidered, and the amendment was laid on the table, and the bill was read the third time and passed—yeas 45, nays 24.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Bliss, Baker, Brown, Chambers, Clements, Davis, Dickson, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gullede, Heaton, Herman, Higgins, Holloway, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Mathews, Price, Prowell, Ross, Rousseau,

Shepard, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—45.

Those who voted nay are—

Messrs. Barron, Beirne, Betts, Blevins, Boyd, Brewer, Brantley, Cook, Coon, Cockrell, Crews, Dillon, Fagan, Greene of Lee, Harris of Perry, Huey, Jenkins, Jones of Pickens, Martin, Mitchell, Reese, Rice, Sims and Witherspoon—24.

Mr. Greene of Lee, from same committee, reported favorably to the bill—

H. B. 475. To provide for the payment of witnesses for the State in certain cases ;

Which bill was read the third time and passed—yeas 61, nays 6.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Barnett, Beirne, Betts, Billups, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Clements, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Lee, Gullledge, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kirkland, Locke, Maples, Mathews, Price, Prowell, Reese, Reid, Rice, Ross, Rousseau, Shepard, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Woolf—61.

Those who voted nay are—

Messrs. Blevins, Brantley, Cockrell, Fagan, Mitchell and Sims—6.

The house next proceeded to the consideration of the amendment of the senate to the bill—

H. B. 302. To regulate the duties and provide for the compensation of solicitors of judicial circuits ;

And refused to concur therein.

Yeas 28, nays 41.

Those who voted yea are—

Messrs. Speaker, Andrews, Baldwin, Barnett, Barron, Beirne, Blevins, Brewer, Brown, Chambers, Coon, Crews, Fielder, Greene of Lee, Herman, Huey, Jenkins, Jones of Russell, Kimmey, Locke, Mathews, Mitchell, Purcell, Rice, Straughn, Tate, Troup, and Wood of Talladega—28.

Those who voted nay are—

Messrs. Aldridge, Bennett, Betts, Billups, Bliss, Bonner, Baker, Brantley, Clements, Davis, Dillon, Espy, Fagan, Farriss, Franklin, Gibson, Gullledge, Harris of Perry, Heaton,

Higgins, Holloway, Jones of Pickens, Kirkland, Lewis, Maples, Martin, Price, Prowell, Reese, Reid Ross, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Townsend, Wharton, Wilson, Wood of Marengo, and Woolf—41.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 4, 1876.

Mr. Speaker :

The senate concurs in the report of the committee of conference on the house bill—

H. B. 341. To establish a Revenue Code for the State of Alabama.

The senate has passed the house bill—

H. B. 419. To amend sections 2 and 20 of an act to incorporate the town of Guntersville, in the county of Marshall, approved December 12, 1871.

And also concurs in the amendment to the senate bill—

S. B. 298. To amend sections 2, 3 and 4, of an act in relation to fences, the protection of crops, and other property in Sumter and Pickens, approved February 19, 1867.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
Montgomery, Feb. 26, 1876.

*Gentlemen of the Senate and of the
House of Representatives of the State of Alabama :*

It becomes my painful duty to announce to the general assembly the death of Thomas J. Judge, a Justice of the Supreme Court of Alabama, who died at his house in Greenville, Alabama, on the evening of the 3d inst.

For more than a quarter of a century the deceased had been prominently and honorably identified with the history of Alabama. He was a loved and trusted citizen, an able legislator, a wise and fearless judge, and a sincere and de-

voted patriot. The death of such a man is a loss which Alabama may well deplore.

Respectfully,

GEO. S. HOUSTON,
Governor of Alabama.

Mr. Price offered the following

RESOLUTIONS :

Resolved, That we have heard with profound sorrow of the death of the Hon. Thomas J. Judge, late Associate Justice of the Supreme Court of this State.

Resolved, That in the death of this distinguished man the judiciary of Alabama has lost one of its most useful, learned, and able members ; the State has been deprived of the services of a faithful, distinguished, and patriotic citizen, and the whole country has been bereaved of one whose talents and virtues were always exerted for the promotion of the welfare of the people, and the advancement of the common glory.

Resolved, That in token of our bereavement, and in respect to the memory of the deceased, this house do now adjourn until Monday morning, at 9 o'clock.

The resolution was unanimously adopted by a rising vote, and the speaker declared the house, under the resolution, adjourned until Monday morning, 9 o'clock.

FIFTY-NINTH DAY.

MONDAY, March 6, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Dr. Stringfellow.

On the call of the roll the following members answered to their names :

Messrs. Speaker, Aldridge, Andrews, Baldwin, Beirne, Bell, Bennett, Betts, Blevins, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Carson, Chambers, Clements, Coon, Cockrell, Crews, Davis, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Lee, Gullett, Harris of Perry, Heaton, Higgins, Holloway, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Mitchell, Prowell, Purcell,

Reese, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Tronp, Wharton, Witherspoon, Wood of Marengo, Woolf and Wynne—65.

The journal of Saturday was read and approved.

LEAVE OF ABSENCE.

Leave of absence for the remainder of the session was granted to Messrs. Harris of Chambers, and Ross, and also Mr. Knight, assistant doorkeeper of the house.

SENATE BILLS ON SECOND READING.

The senate bill—

s. B. 415. To prescribe the time of holding the chancery courts of the county of Monroe;

Was read the second time and referred to the committee on local legislation, with leave to report at pleasure.

The senate bill—

H. B. 397. To repeal an act to prohibit the sale or giving away, or otherwise disposing of any spirituous, vinous or malt liquors, or any intoxicating bitters, within one and one-half miles of the town of Cherokee, in Colbert county;

Was read the second time and referred to the committee on temperance.

The senate bill—

s. B. 282. To authorize and empower the "Troy Female College" to issue diplomas, or other evidences of educational attainment;

Was read the second time and referred to the committee on education.

The senate bill—

s. B. 369. To make printers bills a part of the costs in cases where publication is made;

And the bill—

H. B. 486. To prevent fraud in the sale of shoes;

Were severally read the second time and referred to the committee on the judiciary.

The house concurred in the senate amendment to the bill—

H. B. 448. To provide for the keeping of dockets in criminal cases by justices' of the peace and notaries public;

Yeas 69, nays 0.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Baldwin, Beirne, Bell, Bennett, Betts, Billups, Bliss, Brewer, Baker, Brown, Carson, Chambers, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Lewis, Locke, Maples, Martin, Price, Prowell, Reese, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—69.

Also, concurred in the amendments of the senate to the bill—

H. B. 292. To prevent clerks, deputy clerks and employes, from practicing law in the courts in which they are clerks, deputy clerks or employees.

Yeas 58, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Bell, Betts, Billups, Boyd, Brewer, Brown, Carson, Clements, Cook, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Espy, Fagan, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Perry, Heaton, Herman, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Martin, Mitchell, Reese, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, Straughn, Stribling, Townsend, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—58.

MESSAGES FROM THE GOVERNOR.

STATE OF ALABAMA,

EXECUTIVE DEPARTMENT,

March 6, 1876.

Mr. Speaker—

The Governor has approved the following bills which originated in the house of representatives:

H. B. 94. An act to authorize the Governor to issue a patent for the north half of section 16, township 12, range 14, east, to Wiley S. Metcalf, of Sanford county.

H. B. 199. An act to regulate the publication of legal notices in the county of Marshall.

H. B. 49. An act to arrange the courts by districts in the southern chancery division.

H. B. 260. An act to protect the rights of claimants in suits for the recovery of personal property in specie.

H. B. 484. Joint resolution requiring the superintendent of education to examine into and report to the next general assembly, the situation and condition of all lands donated by congress to the State for school purposes.

H. B. 428. An act for the relief of clerks of the city and other criminal courts of this State.

H. B. 416. Joint memorial of the general assembly of Alabama to the congress of the United States, asking appropriation for the survey of the Sipsey river in this State.

H. B. 309. An act to distribute to the federal judges and district attorneys for Alabama, copies of the acts of the general assembly, the revised code and the Alabama reports, the same as the officers of the State.

H. B. 427. An act to provide for the salaries of judges appointed or elected to fill vacancies occurring before the next general election for such officers.

Respectfully,

L. R. DAVIS,
Private Sec'y.

STATE OF ALABAMA,

EXECUTIVE DEPARTMENT,

March 6, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the house of representatives :

H. B. 479. An act to authorize the construction of a break-water in the bay and harbor of Mobile, and to incorporate certain persons therein named for that purpose.

H. B. 469. An act to transfer certain school furniture to the State Normal School at Florence.

H. B. 297. An act to fix the term of office of notaries public.

H. B. 383. An act for the relief of J. R. Wing and other persons therein named.

H. B. 422. An act to repeal section one of an act in relation to the prohibition of the sale or giving away of vinous or spirituous liquors within two miles of Gaylesville High School, Cherokee county, and other counties therein named, approved

December 17, 1873, so far as the same relates to Vernon, Sanford county.

Respectfully,

L. R. DAVIS,
Private Sec'y.

MESSAGE FROM THE GOVERNOR,

STATE OF ALABAMA,

EXECUTIVE DEPARTMENT,

February 26, 1876.

*Gentlemen of the Senate
and House of Representatives:*

In view of your early adjournment, I invite your attention to the accompanying communication from Hon. John T. Morgan, and ask that you furnish such instructions as you may think the subject referred to by him requires.

Very respectfully,

GEO. S. HUGSTON,
Governor.

ENROLLED BILLS.

Mr. Purcell, from the committee on enrolled bills, reported correctly enrolled the following:

H. B. 444½. To secure the payment to the State, of United States currency paid to tax collectors and other officers—to provide for setting aside a certain portion of the revenue, and the issuance of bonds for the purpose of paying interest on the public debt.

H. B. 393. To amend section 2961 of the Revised Code.

H. B. 419. To amend sections 2 and 20 of an act to incorporate the town of Guntersville, in the county of Marshall, approved December 12, 1871.

H. B. 329. To repeal an act to prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors within three miles of Locust Grove Baptist church, in Madison county.

H. B. 287. To amend section 3633 of the Revised Code.

H. B. 382. To establish separate school districts within the several counties of this State.

H. B. 378. To repeal so much of an act to prohibit any person or persons from giving away, selling, or offering for

sale, any vinous or spirituous liquors within three miles of Lineville Baptist church, in Shelby county, or within one mile of Harmony, in Perry county, as relates to the prohibition within three miles of Lineville Baptist church, in Shelby county.

H. B. 454. To carry into effect and regulate contracts made under section 30, of article 4, of the constitution of this State.

H. B. 341. To establish a revenue code for the State of Alabama.

SIGNING BILLS BY THE SPEAKER.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills.

Also, the following senate bills—

S. B. 214. To amend section 23 of an act to regulate elections in the State of Alabama, approved March 3, 1875.

S. B. 181. To provide for the settlement of so much of the taxes, for the year 1875, as have been collected by the tax collector for the year 1874.

S. B. 366. An act to amend section nine of an act to provide for the registration of electors in this State, approved March 18, 1875.

S. B. 373. An act to authorize the warden of the penitentiary to contract with the South and North Alabama Railroad Company for the employment of convicts.

S. B. 402. To authorize the court of county commissioners of the counties of Lee and Tallapoosa to compromise and settle the bonded indebtedness of said counties, issued in payment of stock subscribed by said counties to railroad companies.

S. B. 291. To amend section one of an act to prohibit attorneys from practicing their profession in the probate and chancery courts in certain cases, approved 11th February, 1871;

S. B. 361. To provide for the payment of the commissioners, appointed under the act approved December 17th, 1874, to liquidate and adjust all claims against the State of Alabama, arising from bonds, issued or endorsed in the name of the State.

S. B. 1. To provide for the recording of certain papers by clerks of the circuit courts, registers in chancery and judges of probate.

S. B. 286. To amend sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 30, 31,

34, 41, 44 and 88 of an act to regulate elections in the State of Alabama, approved March 3, 1875.

S. B. 298. An act to amend sections 2, 3, and 4 of an act in relation to fences, the protection of crops and other property in Sumter and Pickens counties, approved February 19, 1867.

S. B. 164. An act to compromise the debt of any county in this State whose obligations are worth less than par value.

S. M. 418. Memorial to the Congress of the United States for the further improvement of the harbor of Mobile.

Mr. Fielder, from the committee on the penitentiary, reported favorably to the bill—

H. B. 413. To secure the safe and economical transportation of persons sentenced to imprisonment in the penitentiary, and to provide compensation therefor.

Mr. Fielder asked, and obtained leave, to withdraw the bill.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 6, 1876.

Mr. Speaker :

The senate has adopted the following house joint resolution:

H. B. 485. Raising a joint committee for the purpose of investigating certain matters therein mentioned.

Committee on the part of the senate—Messrs. Harris of Lee, and Farden.

And has passed the following house bill:

H. B. 467. For the relief of F. S. Ulmer of Choctaw county.

The senate concurs in the report of the committee of conference on the disagreement of the two houses to the senate amendments to the house bill—

H. B. 270. To provide for the impeachment and removal from office of the officers mentioned in sections two and three, article seven, of the constitution of Alabama.

And has originated and passed the following bill:

S. B. 419. To incorporate an educational association to be called and known as the Andrews' Institute, in DeKalb county, Alabama.

The senate has adopted the accompanying report of the joint committee of the two houses, fixing the day of adjourn-

ment of the general assembly on Wednesday, the 8th day of March, 1876.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

On motion of Mr. Betts, the house concurred in the report of the joint committee, fixing Wednesday, 12 m., as the hour for final adjournment.

The report of the committee is as follows:

The joint committee appointed to fix the day of final adjournment of the present session of the general assembly, instruct me to report the following resolution and recommend its adoption :

Resolved by the senate, (the house of representatives concurring,) That the present session of the general assembly adjourn sine die at 1 o'clock p. m., on Wednesday, March 8, 1876.

W. G. LITTLE, JR.,
Chairman Senate Com.

W. M. SMITH,
Chairman House Com.

Mr. Brewer submitted the following protest, which was ordered to be spread upon the journal :

MR. BREWER'S PROTEST.

Mr. Speaker :

In the exercise of my constitutional right, I hereby solemnly protest against the passage of the bill to be entitled an act to close the accounts and settle the contracts made by the board for the improvement of the river, harbor and bay of Mobile, and present the following reasons for this action on my part :

This act proposes to impose on the county of Mobile a debt never authorized or sanctioned by its corporate authorities, or by the citizens of said county. What power has the legislature to impose such a burden on the county of Mobile, against its will?

We concede the general principle that counties are parts of the frame work of the State, and that county organizations are parts of the municipal government of the State, and that they are subject to the control of the legislature in the legiti-

mate purposes of local government. But we deny that the general assembly of Alabama has any constitutional power to impose upon the county of Mobile the burden contemplated by this bill.

The rights, or supposed rights, of the parties for whose benefit this burden is to be imposed, have been adjudicated by the courts. The supreme court of Alabama, at the present term, have decided that these parties have no rights against the county of Mobile.

The judicial department of the State government, with proper parties before it, and on evidence produced by the parties, appropriately determines the rights and remedies of litigants. To this tribunal, these parties, the county of Mobile, and those persons to be benefitted by the provisions of this bill, have submitted their case; and by the solemn adjudication of this tribunal, the highest in Alabama, it has been deliberately determined that the county of Mobile does not and never did owe these persons the debt, for the payment of which this bill provides. This bill, then, *creates* in these persons a *right* against the county of Mobile, which the supreme court decided had no foundation in fact or in law.

This general assembly, therefore, are not only by this bill imposing a debt on the county of Mobile, against the will of its citizens, without the consent of the taxpayers, and against the protest of its corporate authorities, but it is undertaking to reverse and set aside the judgment of the supreme court, in a matter over which the supreme court had exclusive jurisdiction. That such an act is beyond the constitutional powers of this legislature, I assert on the authority of the highest jurist of the land.

Judge Cooley, who, by his recent work on constitutional limitations, has placed himself in the rank with Marshall, Kent, Story and Taney, has discussed this question with clearness and consummate ability. He, after a careful examination of all the American authorities, laid it down as a fundamental principle that "the legislature has no power, against the will of a municipal corporation, to compel it to contract debts for local purposes

* * * * *

or to assume obligations not within the ordinary functions of municipal government; such matters are to be disposed of, in view of the interests of the corporators exclusively, and they have the same right to determine them for themselves which the associates in private corporations have to determine for themselves, the questions which arise for their corporate action. The State, in such cases, may remove restric-

tions and *permit* action, but it cannot *compel* it." See Cooley on Const. Limt., page 230. On page 235 he says: "And to hold that the legislature may go further, and under its power to control the taxation of the political divisions and organizations of the State, *compel* them; without the consent of their citizens, to raise money for such, or any unusual purposes, or to contract debts, therefore, seems to us to be introducing *new* principles into our system of local self-government, and to be sanctioning a centralization of power, not within the contemplation of the makers of the American constitution. We think, when any such forced taxation is resisted by the municipal organizations it will be very difficult to defend it as a proper exercise of legislative authority in a government whose power is distributed on the principles which prevail here.

To the same effect, see what Judge Breese says in *People vs. Mayor of Chicago*, 51 Ill. Reports, 17.

Many other authorities might be cited to the same effect, but it is unnecessary.

But this enactment, in the opinion of the undersigned, violates the spirit, if not the letter, of section 55, article 4, of our constitution, which declares that the general assembly shall have no power to authorize any county, city, town, or other subdivision of this State, to lend its credit, or to grant public money or things of value in aid of, or to any individual association or corporation whatsoever, or to become a stockholder in any such corporation, association or company, by issuing bonds, or otherwise.

This enactment not only *authorizes*, but *compels*, against the will of the people and of the corporate authorities thereof, the county of Mobile to assume a liability for the benefit of individuals never incurred by it.

I respectfully submit that it violates both the letter and the spirit of the 23d section of the 4th article of the constitution, which is in the following language: "No special or local law shall be enacted for the benefit of individuals or corporations in cases which are, or can be, provided for by a general law, or where the relief sought can be given by any court of the State."

In the case of *Mobile county vs. Kimball & Slaughter*, decided at the December term, 1875, of our supreme court, the mode and manner of the relief to which the parties benefitted by this act are entitled, are pointed out; and the relief to which they are entitled can be had in the courts against the party with which their contract was made, to-wit: the harbor

board, and to which, both legally and equitably, they must look for relief. In the same case, it is expressly decided that these parties have *no right to any relief against the county of Mobile.*

This bill violates that clause of our constitution, section 2, article 4, which declares that each law shall contain but one subject, which shall be clearly expressed in its title. The title to this bill is "an act to close the accounts and settle the contracts made by the board for the improvement of the river, harbor and bay of Mobile," whilst the subject, purpose and object of the act is to impose on the county of Mobile a debt which it never contracted, and for the payment of which the supreme court has decided it never has been and is not now liable.

Also, section 56, article 4, and several other clauses of our constitution, the spirit of which this enactment violates, would be cited, but it is unnecessary to particularize them; what I have said is sufficient to show the solid ground of my opposition to the law and for this my protest.

I therefore feel constrained by a sense of public duty, and by my obligations to the constitution, and my responsibility to my constituents, whose rights have been wholly disregarded and stricken down, to enter this my solemn protest against said enactment; and I respectfully ask that the same shall be recorded on the journals of this house.

L. BREWER.

Mr. Townsend, from special committee on immigration, reported favorably to the senate bill—

S. B. 386. To induce immigration to the State of Alabama, and to provide for the appointment of a commissioner and two assistant commissioners of immigration;

Which bill was read the third time and passed—yeas 45, nays 19.

Those who voted yea are—

Messrs. Aldridge, Barron, Beirne, Bonner, Brewer, Brown, Chambers, Clements, Cockrell, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullledge, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Maples, Prowell, Purcell, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Stribling, Tate, Townsend, Troup, Wilson, Witherspoon and Woolf—45.

Those who voted nay are—

41 h

Messrs. Baldwin, Bennett, Betts, Blevins, Bliss, Boyd, Brantley, Carson, Cashin, Cook, Crews, Fagan, Gilmer of Montgomery, Locke, Martin, Mathews, Reese, Wood of Marengo, and Wynne—19.

Mr. Herman, from the committee on appropriations, reported favorably to the senate bill—

s. B. 310. To appropriate twenty-five hundred dollars for repairing the capitol and fencing inclosing the same ;

Which bill was read the third time and passed—yeas 59, nays 2.

Those who voted yea are—

Messrs. Aldridge, Barron, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Chambers, Clements, Coon, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Fielder, Franklin, Gibson, Greene of Lee, Gulledge, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Locke, Maples, Martin, Mitchell, Prowell, Purcell, Reese, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—59.

Those who voted nay are—

Messrs. Cockrell and Mathews—2.

Mr. Barron, from the committee on public printing, reported favorably to the senate bill—

s. B. 234. To provide for the public printing of this State ;

Which bill was read the third time and passed—yeas 50, nays 3.

Those who voted yea are—

Messrs. Aldridge, Barron, Beirne, Betts, Billups, Bliss, Bonner, Boyd, Baker, Brown, Carson, Chambers, Clements, Crews, Davis, Dillon, Edwards, Espy, Franklin, Grant, Greene of Jefferson, Greene of Lee, Gulledge, Harris of Perry, Heaton, Herman, Higgins, Huey, Jenkins, Kimmey, Kirkland, Locke, Maples, Mitchell, Prowell, Purcell, Reese, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson and Woolf—50.

Those who voted nay are—

Messrs. Cockrell, Mathews, and Wood of Talladega—3.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 6, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 481. To amend the city charter of Eufaula.

And has amended as therein shown and passed the following house bill—

H. B. 461. To amend section six of an act entitled an act to establish a board of commissioners of roads in the county of Mobile, and to prescribe the duties thereof, approved December 20, 1871.

The senate has instructed me to request the return forthwith to the senate of the house resolution—

H. R. 485. Raising a joint committee for the purpose of investigating certain matters therein mentioned.

Respectfully,

S. B. BREWER,
Secretary.

The clerk was instructed to return to the senate the joint resolution—

H. R. 485. Raising a joint committee to investigate certain matters therein mentioned.

REPORTS FROM STANDING COMMITTEES.

Mr. Maples, from the committee on temperance, reported favorably to the senate bill—

S. B. 359. To prevent the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within five miles of the nineteenth mile post or the Sodda Church, on the Butler's Mill Road, and Bethesda Church, situated between the Woodley Road and the Butler's Mill Road, in Montgomery county ;

Which bill was read the third time and passed—yeas 42, nays 15.

Those who voted yea are—

Messrs. Speaker, Barron, Beirne, Bliss, Brewer, Brown, Chambers, Cockrell, Dillon, Edwards, Espy, Fielder, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullett, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Maples, Prowell, Purcell, Reese,

Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Tate, Troup, Wilson, Wood of Marengo, and Woolf—42.

Those who voted nay are—

Messrs. Aldridge, Baldwin, Betts, Blevins, Boyd, Baker, Brantley, Cashin, Cook, Davis, Fagan, Harris of Perry, Locke, Martin and Mathews—15.

Mr. Beirne, from the judiciary committee, reported favorably to the senate bill—

S. B. 128. To provide for the transfer of causes in the chancery courts in certain cases;

Which bill was read the third time and passed—yeas 53, nays 1.

Those who voted yea are—

Messrs. Aldridge, Barron, Beirne, Betts, Billups, Bliss, Boyd, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Edwards, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Matthews, Prowell, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Troup, Wharton, Wilson, Wood of Marengo, Wood of Taladega, and Woolf—53.

Mr. Cockrell voted nay.

SPECIAL ORDER.

On motion of Mr. Greene of Lee, the special order for 12 m. to-day was postponed until the judiciary committee furnishes its reports.

REPORT FROM JUDICIARY COMMITTEE.

Mr. Beirne, from the judiciary committee, reported favorably, with amendments, to the senate bill—

S. B. 32. To provide for the punishment of persons convicted of crimes in certain cases.

Amend as follows:

First—Strike out “twelve months” in 9th line of first section, and insert “two years,” in place thereof.

Second—Also strike out “twelve months,” in 4th line of section two, and insert the following, viz., “two years and more than one year.”

Third—And also, after the word “interests” at end of the

8th line, insert the following: "And in case of all convictions, for one year, or for a shorter period, such judge shall sentence the person, or persons, convicted, to imprisonment in the county jail, or to hard labor for the county, as to him shall seem proper."

Mr. Betts moved to amend the amendment, by way of substitute, as follows:

First—In ninth line strike out "twelve months," and insert "more than two years."

Second—Amend section 2, by way of substitute.

The amendment to the amendment was adopted, and the amendment as amended was adopted, and the bill was read the third time and passed—yeas 48, nays 10.

Those who voted yea are—

Messrs. Speaker, Aldridge, Baldwin, Barron, Beirne, Betts, Bonner, Brewer, Brown, Chambers, Clements, Dickson, Dillon, Edwards, Espy, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gulledge, Harris of Perry, Heaton, Herman, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Maples, Price, Prowell, Rice, Rousseau, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—48.

Those who voted nay are—

Messrs. Billups, Blevins, Boyd, Baker, Cashin, Cockrell, Fagan, Locke, Mathews and Reese—10.

Also, from same committee, favorably to the senate bill—

s. B. 363. To authorize appeals in certain cases;

Which bill was read the third time and passed—yeas 50, nays 2.

Those who voted yea are—

Messrs. Aldridge, Barron, Beirne, Blevins, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Edwards, Espy, Fagan, Farriss, Franklin, Gibson, Grant, Greene of Lee, Gulledge, Heaton, Herman, Higgins, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Price, Prowell, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Wood of Marengo and Woolf—50.

Those who voted nay are—

Messrs. Cockrell and Mathews—2.

Also, favorably to the senate bill—

s. B. 304. To amend an act to amend sections 2961 and 2962 of the Revised Code;

Which bill was read the third time and passed—yeas 50, nays 5.

Those who voted yea are—

Messrs. Speaker, Aldridge, Beirne, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Coon, Crews, Davis, Dillon, Edwards, Espy, Farriss, Gibson, Grant, Greene of Jefferson, Gullledge, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Locke, Maples, Price, Prowell, Reese, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Stribling, Townsend, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega and Woolf—50.

Those who voted nay are—

Messrs. Blevins, Cashin, Cockrell, Fagan and Mathews—5.

Also, favorably to the senate bill—

s. B. 273. To amend sections 4304 and 4305 of the Revised Code;

Which bill was read the third time and passed—yeas 52, nays 4.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barron, Beirne, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Coon, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kimmey, Kirkland, Locke, Price, Prowell, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Wood of Talladega and Woolf—52.

Those who voted nay are—

Messrs. Blevins, Cook, Fagan and Mathews—4.

Also, favorably to the senate bill—

s. B. 296. To amend section 3203 of the Revised Code;

Which bill was read the third time and passed—yeas 51, nays 8.

Those who voted yea are—

Mess. Speaker, Aldridge, Barron, Beirne, Betts, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Edwards, Espy, Farriss, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Maples, Martin, Price, Prowell, Rice, Rousseau, Shepard, Smith of Franklin, St. John, Straughn, Townsend, Troup, Wharton, Wilson, Wood of Talladega and Woolf—51.

Those who voted nay are—
Messrs. Blevins, Boyd, Brantley, Cook, Fagan, Harris of Dallas, Locke and Mathews—8.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported as correctly enrolled the following bill:

H. B. 481. An act to amend the city charter of Eufaula.

SIGNING BILLS.

And the Speaker, in the presence of the house, and immediately after the title had been publicly read, signed said bill.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary, Mr. Davis :

STATE OF ALABAMA.

EXECUTIVE DEPARTMENT,

March 6, 1876.

Mr. Speaker :

The Governor has approved the following bills, which originated in the house of representatives:

H. B. 236. To establish and regulate liens of mechanics and other persons.

H. B. 287. To amend section 3633 of the Revised Code.

H. B. 393. To amend section 2961 of the Revised Code.

H. B. 329. To repeal an act to prohibit the sale or otherwise disposing of spirituous, vinous or malt liquors, within three miles of Locust Grove Baptist Church, in Madison county.

H. B. 378. To repeal so much of an act to prohibit any person or persons from giving away, selling, or offering for sale any vinous or spirituous liquors within three miles of Limeville Baptist Church, in Shelby county, or within one mile of Hamburg in Perry county, as relates to the prohibition within three miles of Limeville Baptist Church, in Shelby county.

H. B. 419. To amend sections two and twenty of an act to incorporate the town of Guntersville, in the county of Marshall, approved December 12, 1871.

H. B. 382. To establish separate school districts within the several counties of this State.

H. B. 444 $\frac{1}{2}$. To secure the payment to the State of United States currency, paid to tax collectors and other officers, to provide for setting aside a certain portion of the revenue and the issue of bonds for the purpose of paying interest on the public debt.

Respectfully,

L. R. DAVIS,
Private Secretary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 6, 1876.

Mr. Speaker:

The senate has passed the following house bills:

H. B. 185. To exempt from jury duty one druggist, in certain cases.

H. B. 464. To amend an act, approved February 20, 1875, entitled an act to amend an act to prescribe the time of holding the circuit courts in the tenth judicial circuit, approved March 14, 1872.

H. B. 228. To place entries made by deceased executors, administrators, guardians, and trustees, prior to the passage of the act of 14th February, 1867, upon the same grounds as to competency, as such entries made subsequent to that date.

The senate has concurred in the report of the committee of conference on the disagreement of the two houses on the senate amendment, by way of substitute, to the house bill—

H. B. 128. To provide for the revision, digesting and promulgation of the public statutes of this State of a general nature.

And has amended, by way of a substitute, and adopted the house joint resolution—

H. B. 485. Raising a joint committee for the purpose of investigating certain matters therein mentioned.

And has passed the house bills—

H. B. 263. To repeal an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within three miles of the Union church and public school house in beat 7, Hale county.

H. B. 406. To repeal so much of the act to prohibit the

sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters or other intoxicating beverages, within two and a half miles of the Pierce coal mines, in section 12, township 14, range 3, west; and also within two and a half miles of New Castle Coal Mines, in Jefferson county, approved December 17, 1873, as relates to Pierce Coal Mines.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

Mr. Chambers submitted the following report :

Mr. Speaker :

The special committee, to which was referred the house bill, No. 122, to be entitled an act to fix the time of holding the circuit courts in the several counties composing the ninth judicial circuit, as amended by the senate, have had the same under consideration, and instruct me to report an amendment thereto, and, with said amendment, to recommend that the house concur in the amendment of the senate.

W. H. CHAMBERS,
Chairman.

Amend as follows :

In section 1, by striking out the word "Russell," where it occurs in the 10th line, and inserting "Macon," and, also, by striking out the word "Macon" where it occurs in the 21st line of said section, and insert, in lieu thereof, the word "Russell."

The amendment was adopted, and the house concurred in the substitute as amended—yeas 49, nays 5.

Those who voted yea are—

Messrs. Aldridge, Barron, Beirne, Betts, Billups, Boyd, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Espy, Farriss, Gibson, Grant, Greene of Jefferson, Greene of Lee, Gullledge, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Locke, Maples, Price, Prowell, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega, and Woolf—49.

Those who voted nay are—

Messrs. Cockrell, Fagan, Martin, Mathews and Reese—5.

Mr. Beirne, from the judiciary committee, reported favorably, with amendment, to the senate bill—

s. B. 335. To declare a lien in favor of tenants in common on crops grown by them, for advances made by them, in certain cases.

Amend by striking out the *proviso* in section one.

The amendment was adopted, and the bill read the third time and passed—yeas 53, nays 7.

Those who voted yea are—

Messrs. Aldridge, Baldwin, Barron, Beirne, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Brown, Carson, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Espy, Fagan, Farriss, Grant, Greene of Jefferson, Greene of Lee, Gulledge, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Maples, Martin, Price, Prowell, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—53.

Those who voted nay are—

Messrs. Blevins, Cashin, Chambers, Locke, Mathews, Reese and Wynne—7.

Also, favorably to the senate bill—

s. B. 336. To authorize and regulate the partition of crops among tenants in common, or joint owners therein, and to enforce liens thereon, in certain cases ;

Which bill was read the third time and passed—yeas 47, nays 4.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barron, Beirne, Blevins, Bliss, Bonner, Brewer, Baker, Brown, Cashin, Coon, Cockrell, Crews, Dickson, Dillon, Espy, Fagan, Farriss, Greene of Jefferson, Gulledge, Harris of Perry, Herman, Holloway, Jenkins, Jones of Pickens, Kirkland, Locke, Maples, Mathews, Price, Prowell, Reese, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf and Wynne—47.

Those who voted nay are—

Messrs. Heaton, Huey, St. John, and Wood of Talladega—4.

Also, favorably to the senate bill—

s. B. 152. To provide for the payment of proper compensation to the counsel employed by the Governor to enforce the collection of taxes on the capital stock of National banks ;

Which bill was read the third time and passed—yeas 48, nays 17.

Those who voted yea are—

Messrs. Speaker, Baldwin, Beirne, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Coon, Crews, Dickson, Dillon, Espy, Fagan, Fielder, Gibson, Greene of Lee, Harris of Perry, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Lewis, Locke, Martin, Mathews, McDuffie, Price, Prowell, Reese, Rousseau, Smith of Bullock, Tate, Troup, Wilson and Woolf—48.

Those who voted nay are—

Messrs. Aldridge, Betts, Blevins, Cockrell, Davis, Greene of Jefferson, Heaton, Maples, Smith of Franklin, Stevens, St. John, Townsend, Wharton, Witherspoon, Wood of Talladega, and Wynne—17.

Also, favorably to the senate bill—

s. B. 82. For the payment of P. Phillips for professional services rendered to the State in the supreme court of the United States;

Which bill was read the third time and passed—yeas 39, nays 17.

Those who voted yea are—

Messrs. Speaker, Barron, Beirne, Betts, Billups, Bliss, Bonner, Boyd, Brewer, Baker, Brown, Chambers, Crews, Dickson, Dillon, Espy, Greene of Lee, Gullett, Herman, Higgins, Huey, Jones of Pickens, Jones of Russell, Kirkland, Lewis, Locke, Martin, Mathews, McDuffie, Price, Prowell, Rousseau, Shepard, Tate, Troup, Wilson, Witherspoon, Wood of Talladega, and Woolf—39.

Those who voted nay are—

Messrs. Aldridge, Baldwin, Blevins, Cashin, Cockrell, Davis, Farriss, Harris of Perry, Heaton, Holloway, Maples, Smith of Franklin, Stevens, St. John, Townsend, Wharton, Wood of Marengo, and Wynne—18.

Also, favorably to the senate bill—

s. B. 227. To regulate the granting of licenses to retail vinous or spirituous liquors in this State.

The bill was ordered to a third reading forthwith.

Mr. Wilson moved to reconsider the vote ordering the bill to a third reading;

Lost.

And the bill was read the third time.

Mr. Townsend moved to indefinitely postpone the further consideration of the bill;

Lost—yeas 18, nays 46.

Those who voted yea are—

Messrs. Bennett, Bliss, Boyd, Brantley, Cashin, Espy, Gullledge, Jones of Russell, Lewis, Locke, Martin, Mathews, Stevens, Straughn, Tate, Townsend, Witherspoon, and Wood of Talladega—18.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Beirne, Bell, Betts, Billups, Bonner, Bozeman, Brown, Chambers, Clements, Coon, Cockrell, Crews, Dickson, Dillon, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Harris of Perry, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Kirkland, Maples, Mitchell, Prowell, Reese, Rice, Rousseau, Shepard, Sims, Smith of Franklin, St. John, Troup, Wilson, Wood of Marengo, Woolf and Wynne—46.

And the bill passed—yeas 36, nays 35.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Beirne, Betts, Bonner, Bozeman, Brown, Carson, Chambers, Clements, Coon, Cockrell, Crews, Dickson, Dillon, Fielder, Gibson, Grant, Greene of Lee, Harris of Perry, Herman, Higgins, Huey, Jenkins, Jones of Pickens, Kirkland, Maples, Price, Prowell, Rice, Shepard, Smith of Franklin, Troup, Wilson and Woolf—36.

Those who voted nay are—

Messrs. Baldwin, Barron, Bennett, Billups, Blevins, Bliss, Boyd, Brantley, Cook, Davis, Espy, Fagan, Franklin, Gilmer of Montgomery, Greene of Jefferson, Gullledge, Heaton, Holloway, Jones of Russell, Kimmey, Kirkland, Lee, Leslie, Lewis, Locke, Maples, Martin, Mathews, McDuffie, Mitchell, Nelson, Patterson, Price, Prowell, Purcell, Rabby, Reese, Reid, Rice, Ross, Rousseau, Shepard, Sims, Smith of Bullock, Smith of Franklin, Stallworth, Stevens, St. John, Straughn, Stribling, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—35.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

March 6, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 301. To amend an act to create a lien in favor of the owners of stallions or jacks, for the amount of the season for such stallion or jack.

H. B. 456. To authorize the commissioners court of Butler county to relieve M. Wimberly, late tax collector of said county.

H. B. 361. To repeal section one of an act in relation to the fine and forfeiture fund of Tuscaloosa and other counties, in so far as it applies to Lowndes county.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
March 6, 1876.

Mr. Speaker :

The Governor has approved the following bill, which originated in the house of representatives:

H. B. 481. An act to amend the city charter of Eufaula.

Very respectfully,

L. R. DAVIS,
Private Secretary.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 6, 1876.

Mr. Speaker :

The senate has passed the following house bills:

H. B. 350. To enable married women whose husbands are *non compos mentis*, to convey real estate.

H. B. 293. To amend section 4345 of the Revised Code.

H. B. 328. To provide for the partition of property, where a part thereof lies in more than one county.

H. B. 306. To change and define the line between the counties of DeKalb and Cherokee.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

JUDICIARY COMMITTEE.

Mr. Beirne, from the judiciary committee, reported favorably, with amendment, to the senate bill—

s. B. 371. To require publication of notice that application will be made to the Governor to pardon convicts, or to remit fines and forfeitures.

Amend by striking out section 2.

The amendment was adopted, and the bill read the third time and passed—yeas 46, nays 11.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Bierne, Bennett, Billups, Bliss, Bonner, Boyd, Brown, Chambers, Clements, Coon, Cockrell, Davis, Dickson, Dillon, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Green of Lee, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Kirkland, Mathews, Price, Prowell, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Tate, Townsend, Troup, Wilson, Wood of Marengo and Woolf—46.

Those who voted nay are—

Messrs. Baldwin, Betts, Blevins, Brewer, Gilmer of Montgomery, Lewis, Locke, Reese, Wharton, Witherspoon and Wood of Talladega—11.

Also, favorably to the senate bill—

s. B. 34. To amend section 3902 of the Revised Code;

Which bill was read the third time and passed—yeas 59, nays 8.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Betts, Billups, Bonner, Bozeman, Brewer, Brown, Chambers, Clements, Cook, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Gilmer of Montgomery, Grant, Greene of Jefferson, Greene of Lee, Gullett, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Kirkland, Lewis, Locke, Maples, Martin, Mitchell, Price, Prowell, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, and Woolf—59.

Those who voted nay are—

Messrs. Bennett, Blevins, Bliss, Boyd, Brantley, Mathews, Reese and Wood of Talladega—8.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following as correctly enrolled :

H. B. 185. An act to exempt from jury duty one druggist, in certain cases.

H. B. 228. An act to place entries made by deceased executors, administrators, guardians and trustees, prior to the passage of the act of February 14, 1867, upon the same ground as to competency as such entries made subsequent to that date.

H. B. 263. An act to repeal an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors, within three miles of the Union church and the public school house, in beat seven, Hale county.

H. B. 467. An act for the relief of F. S. Ulmer, of Choctaw county.

H. B. 361. An act to repeal section one of an act in relation to the fine and forfeiture fund of Tuscaloosa and other counties, in so far as the same applies to Lowndes county.

H. B. 301. An act to amend an act to create a lien in favor of the owners of stallions or jacks, for the amount of the season of such stallions or jacks.

H. B. 456. An act to authorize the commissioners court of Butler county to relieve M. Wimberly, late tax collector of said county.

SIGNING BILLS.

And the Speaker, in the presence of the house and immediately after the titles had been publicly read, signed said bills.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 6, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 452. To incorporate the Clintonville Academy, in Coffee county.

H. B. 473. To amend section one of an act to prohibit the sale or giving away of spirituous or vinous liquors in certain cases, approved 15th April, 1873.

H. B. 373. To incorporate the Cherokee Manufacturing Company.

And has adopted the following joint resolution, and ordered the same to the house forthwith, without engrossment :

S. B. 420. Joint resolution in relation to the first centennial year of American Independence.

S. R. 421. Joint resolution in relation to extending time to commissioners under resolution of March 19, 1875, to investigate the claim of W. A. C. Jones.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

Mr. Betts, from special committee, reported favorably to the senate bill—

S. B. 355. To abolish the court of county commissioners of Lowndes county;

Which bill was read the third time and passed—yeas 48, nays 18.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Betts, Billups, Bliss, Bonner, Brewer, Brown, Chambers, Clements, Dickson, Dillon, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kirkland, Lewis, Maples, Price, Prowell, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson and Woolf—48.

Those who voted nay are—

Messrs. Baldwin, Bennett, Blevins, Bozeman, Brantley, Cook, Cockrell, Fagan, Gilmer of Montgomery, Gulledge, Harris of Perry, Locke, Martin, Mathews, Reese, Witherpoon, Wood of Marengo, and Wood of Talladega—18.

Also, from same committee, favorably to the senate bill—

S. B. 356. To establish a board of revenue for Lowndes county, and to define the duties and powers thereof;

Which bill was read the third time and passed—yeas 45, nays 15.

Those who voted yea are—

Messrs. Speaker, Aldridge, Barron, Beirne, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Maples, Price, Prowell, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson and Woolf—45.

Those who voted nay are—

Messrs. Baldwin, Blevins, Bliss, Boyd, Bozeman, Brantley,

Cook, Fagan, Gilmer of Montgomery, Harris of Perry, Martin, Mathews, Reese, Witherspoon and Wood of Marengo—15.

Mr. Beirne, from the judiciary committee, reported adversely to the senate bill—

S. B. 19. To repeal sections 1858, 1859 and 1860 of the Revised Code.

On motion of Mr. Huey, the further consideration of the report was postponed and made the special order for to-morrow morning, immediately after the journal is read.

On motion of Mr. Woolf, the house adjourned until to-morrow morning, 9 o'clock.

SIXTIETH DAY.

TUESDAY, March 7, 1876.

The house met pursuant to adjournment.

On the call of the roll the following members answered to their names:

Messrs. Speaker, Allen, Aldridge, Andrews, Baldwin, Barron, Beirne, Bennett, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Cashin, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Gullede, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kirkland, Lee, Lewis, Maples, Martin, Price, Prowell, Reese, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—68.

The journal of yesterday was read and approved.

LEAVE OF ABSENCE.

Leave of absence was granted Mr. Edwards for one day; also to Mr. Kimmey for remainder of session.

Mr. Price, from the committee on local legislation, reported favorably to the senate bill—

S. B. 415. To prescribe the time for holding the chancery court in the county of Monroe;

Which bill was read the third time and passed—yeas 63, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barron, Beirne, Betts, Billups, Bliss, Bonner, Boyd, Bozeman, Brewer, Baker, Brantley, Brown, Carson, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jones of Pickens, Kirkland, Lee, Lewis, Locke, Maples, Martin, Price, Prowell, Reese, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—63.

Mr. Blevins voted nay.

Also, favorably to the senate bills—

s. B. 416. To fix the time of holding the circuit court in the second judicial circuit ;

Which bill was read the third time and passed—yeas 59, nays 1.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barron, Beirne, Betts, Billups, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Carson, Cashin, Chambers, Clements, Cockrell, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jones of Pickens, Jones of Russell, Kirkland, Locke, Maples, Martin, Price, Prowell, Reese, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—59.

Mr. Blevins voted nay.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

March 7, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 48. To amend section fifteen of an act to authorize probate judges in the counties of Jackson, Clark, Shelby, Randolph, Coosa, Winston, Fayette, Cleburne, Tuscaloosa, Mon-

roe, Marion, DeKalb, St. Clair, Calhoun, Sanford, Jefferson, Baldwin, Cherokee, Clay, Lauderdale, Blount and Morgan to order elections, in certain cases, to prevent the sale, or giving, or other disposition of vinous or spirituous liquors within certain limits in such counties.

H. B. 483. To authorize the corporate authorities of the city of Montgomery to levy and collect a tax on personal property.

And has amended, as therein shown, and passed the house bills—

H. B. 312. For the relief of James L. Pugh, and to pay him for services rendered the State as attorney.

H. B. 462. To define the duty of the solicitor of the State in relation to lands sold for taxes and purchased by the State.

The senate concurs in the house amendment to the senate amendment to the house bill—

H. B. 122. To fix the time for holding the circuit courts of the ninth (9th) judicial circuit.

The senate recedes from its amendment to the house bill—

H. B. 302. To regulate duties and provide for the compensation of solicitors of judicial circuits.

And has concurred in the house amendments to the senate bill—

S. B. 32. To provide for the punishment of persons convicted of crimes in certain cases.

S. B. 335. To declare a lien in favor of tenants in common, on crops grown by them, for advances made by them in certain cases.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,
EXECUTIVE DEPARTMENT,
March 7, 1876.

Mr. Speaker—

The Governor has approved the following bills which originated in the house of representatives:

H. B. 228. To place entries made by deceased executors, administrators, guardians, and trustees, prior to the passage of the act of 14th February, 1867, upon the same grounds

as to competency, as such entries made subsequent to that date.

H. B. 467. For the relief of F. S. Ulmer of Choctaw county.

H. B. 263. To repeal an act to prohibit the sale, giving away or otherwise disposing of spirituous, vinous or malt liquors within three miles of the Union church and public school house in beat 7, Hale county.

H. B. 341. To establish a revenue code for the State of Alabama.

H. B. 466. To authorize the commissioners court of Butler county to relieve M. Wimberly, late tax collector of said county.

H. B. 361. To repeal section one of an act in relation to the fine and forfeiture fund of Tuscaloosa and other counties, in so far as it applies to Lowndes county.

H. B. 301. To amend an act to create a lien in favor of the owners of stallions or jacks, for the amount of the season for such stallion or jack.

H. B. 185. To exempt from jury duty one druggist, in certain cases.

H. B. 454. To carry into effect and to regulate contracts made under section 30 of article 4 of the constitution of this State.

Respectfully,

L. R. DAVIS,
Private Sec'y,

The house concurred in the senate amendment to the bill—

H. B. 461. To amend section six of an act entitled an act to establish a board of commissioners of roads in the county of Mobile, and to prescribe the duties thereof, approved December 20, 1871.

Yeas 52, nays 4.

Those who voted yea are—

Messrs. Speaker, Allen, Andrews, Barron, Beirne, Betts, Bliss, Bonner, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Crews, Dickson, Dillon, Espy, Farriss, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Locke, Maples, Price, Prowell, Reese, Rice, Rouseau, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Wood of Talladega and Woolf—52.

Those who voted nay are—

Messrs. Billups, Blevins, Davis and Mathews—4.

Mr. Chambers offered the following joint resolution, which was adopted:

Resolved by the house, (the senate concurring,) that the message of the Governor, transmitting to the general assembly the communication of Hon. John T. Morgan, be referred to a joint committee of three on the part of the house and two on the part of the senate, with instructions to report as soon as practicable.

Committee on the part of the house—Messrs. Chambers, Price and Woolf.

SPECIAL ORDER.

The house next proceeded to the consideration of the adverse report of the committee on the judiciary to the senate bill—

S. B. 19. To repeal sections 1858, 1859 and 1860 of the Revised Code.

The report was concurred in.

Mr. Billups, from the committee on corporations, reported favorably to the senate bill—

S. B. 381: To amend section ten of an act to establish a new charter for the town of Union Springs, Bullock county, Alabama;

Which bill was read the third time and passed—yeas 58, nays none.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Andrews, Barron, Beirne, Betts, Billups, Bliss, Boyd, Bozeman, Brewer, Baker, Brown, Carson, Cashin, Chambers, Clements, Cook, Crews, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Greene of Jefferson, Greene of Lee, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jones of Pickens, Kirkland, Lee, Locke, Maples, Price, Prowell, Reese, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Tate, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Talladega and Woolf—58.

Also, favorably to the senate bill—

S. B. 367. To incorporate the town of Fredonia, in Chambers county;

Which bill was read the third time and passed—yeas 48, nays 5.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Beirne, Billups, Bonner,

Bozeman, Brewer, Baker, Brown, Carson, Clements, Cockrell, Crews, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Gibson, Grant, Harris of Perry, Heaton, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Lee, Locke, Maples, Price, Prowell, Reese, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Tate, Troup, Wharton, Wilson, Woolf and Wynne—48.

Those who voted nay are—

Messrs. Blevins, Boyd, Lewis, Martin and Witherspoon—5.

Also favorably to the senate bill—

S. B. 400. To amend section 15 of an act to authorize the mayor and aldermen of the town of Gadsden to lay off the limits of said town into five wards, define the number and mode of selection of officers, their powers and duties, with authority to increase or diminish the corporate limits of said town by a majority vote of the legally authorized voters of said town, and for other purposes in said act mentioned.

Which bill was read the third time and passed—yeas 49, nays 4.

Those who voted yea are—

Messrs. Allen, Andrews, Baldwin, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Bozeman, Brewer, Baker, Brown, Carson, Chambers, Cook, Cockrell, Crews, Dickson, Dillon, Espy, Farriss, Franklin, Gibson, Grant, Harris of Perry, Heaton, Holloway, Huey, Jenkins, Jones of Pickens, Kirkland, Lee, Locke, Maples, Price, Prowell, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Troup, Wharton, Wilson, Wood of Marengo, Wood of Talladega, and Woolf—49.

Those who voted nay are—

Messrs. Mathews, Reese, Witherspoon, and Wynne—4.

Also, favorably to the senate bill—

S. B. 406. To authorize the city of Montgomery to work, outside the city limits, persons convicted of violations of ordinances of the city;

Mr. Blevins moved to lay the bill on the table. Lost.

Mr. Cook moved to amend as follows:

“Provided, the provisions of this act shall not apply to females;”

Which, on motion of Mr. Billups, was laid on the table and the bill read the third time and passed—yeas 43, nays 16.

Those who voted nay are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Betts, Billups, Bonner, Bozeman, Brewer, Baker, Brown, Chambers, Clements, Cockrell, Crews, Dickson, Dillon, Espy, Farriss, Franklin, Gibson, Grant, Greene of Lee, Harris of Perry,

Heaton, Holloway, Huey, Jones of Pickens, Maples, Mitchell, Price, Prowell, Rice, Rousseau, Shepard, Smith of Franklin, Stevens, St. John, Townsend, Troup, Wilson, and Woolf—43.

Those who voted nay are—

Messrs. Allen, Blevins, Bliss, Boyd, Brantley, Cashin, Cook, Harris of Dallas, Lee, Lewis, Locke, Martin, Mathews, Reese, Witherspoon and Wood of Marengo—16.

Mr. Herman moved to reconsider the vote by which the house passed the senate bill—

S. B. 227. To regulate the granting of licenses to retail vinous or spirituous liquors in this State;

Mr. Bierne moved to lay the motion on the table. Carried.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following correctly enrolled :

H. B. 328. To provide for the partition of property where a part thereof lies in more than one county ;

H. B. 473. To amend section 1 of an act to prohibit the sale or giving away of spirituous liquors in certain cases, approved 13th April, 1873 ;

H. B. 452. To incorporate Clintonville Academy, in Coffee county ;

H. B. 406. To repeal so much of an act to prohibit the sale, giving away, or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters, or other intoxicating beverages, within two and a half miles of the Pierce Coal Mines, in section twelve, township fourteen, range three, west, and also within two and a half miles of Newcastle Coal Mines in Jefferson county, approved December 17, 1873, as relates to the Pierce Coal Mines ;

H. B. 293. To amend section 4345 of the Revised Code ;

H. B. 350. To enable married women whose husbands are insane or *non compos mentis* to convey real estate ;

H. H. 306. To change and define the line between the counties of DeKalb and Cherokee ;

H. B. 448. To provide for the keeping of dockets in criminal cases by justices' of the peace and notaries public ;

H. B. 292. To prevent clerks, deputy clerks and employees, from practicing law in the courts in which they are clerks, deputy clerks or employees ;

H. B. 464. To amend an act approved February 20, 1875, entitled an act to amend an act to prescribe the time of hold-

ing the circuit courts in the tenth judicial circuit, approved March 14, 1872.

SIGNING BILLS.

And the speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

March 7, 1876.

Mr. Speaker :

The senate has passed the following house bills:

H. B. 205. To protect parties occupying or cultivating lands under a common fence from trespass of stock ;

H. B. 427½. To create a lien on ships, steamboats and other water crafts in certain cases.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

Mr. Maples, from the committee on temperance, reported favorably to the senate bill—

s. B. 397. To repeal an act to prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors, or any intoxicating bitters, within one mile and a half of the town of Cherokee, in Colbert county ;

Which bill was read the third time and passed—yeas 49, nays 3.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Bozeman, Brewer, Brown, Chambers, Clements, Cockrell, Crews, Davis, Dillon, Espy, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Greene of Lee, Harris of Dallas, Heaton, Herman, Holloway, Jenkins, Jones of Pickens, Kirkland, Locke, Maples, Martin, Price, Prowell, Rice, Shepard, Smith of Franklin, Stevens, St. John, Straughn, Townsend, Troup, Witherspoon, Wood of Marengo, Wood of Talladega, and Woolf—49.

Those who voted nay are—

Messrs. Dickson, Harris of Perry, and Mathews—3.

Mr. Beirne, from the committee on the judiciary, reported favorably to the senate bill—

s. B. 369. To make printers' bills a part of the costs in cases where publication is made;

Which bill was read the third time and passed—yeas 37, nays 14.

Those who voted yea are—

Messrs. Allen, Andrews, Barron, Beirne, Betts, Bozeman, Brewer, Baker, Brown, Carson, Chambers, Crews, Davis, Dillon, Espy, Fielder, Grant, Greene of Lee, Gullledge, Heaton, Herman, Higgins, Holloway, Jenkins, Jones of Pickens, Kirkland, Maples, Price, Prowell, Rice, Shepard, Smith of Franklin, Stevens, Townsend, Troup, Wood of Talladega, and Woolf—37.

Those who voted nay are—

Messrs. Aldridge, Blevins, Farriss, Gibson, Greene of Jefferson, Lee, Lewis, Locke, Mathews, St. John, Wharton, Wilson, Witherspoon, and Wood of Marengo—14.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

March 7, 1876.

Mr. Speaker :

The senate has adopted the following joint resolution, and ordered the same forthwith to the house, without engrossment :

s. B. 423. In reference to conducting the prosecution of the case vs. George E. Spencer.

S. B. BREWER,
Sec'y of Senate.

WAYS AND MEANS.

Mr. Brewer, from the committee on ways and means, reported favorably to the senate bill—

s. B. 375. For the relief of Mrs. Eliza Hunsucker, of St. Clair county;

Which bill was read the third time and passed—yeas 49, nays 2.

Those who voted yea are—

Messrs. Allen, Aldridge, Andrews, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Brown, Chambers, Clements, Cockrell, Davis, Dillon, Espy, Farriss, Fielder, Franklin, Grant, Greene of Jefferson, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Jones

of Pickens, Kirkland, Locke, Maples, Mathews, Price, Prowell, Reese, Rice, Shepard, Smith of Franklin, Stevens, St. John, Townsend, Troup, Wharton, Wilson and Woolf—49.

Those who voted nay are—

Messrs. Lewis and Witherspoon—2.

Also, favorably, with amendments, to the senate bill—

s. B. 163. To authorize and require courts of county commissioners to correct errors made by tax collectors in the sale of lands for taxes, since the first day of January, in the year 1868.

Amend as follows: 1st. After the word "purchase," as it occurs the second time in section 1, insert the words "and the tax assessor who assessed said land."

2d. After the word "costs," as it occurs in section 1, strike out the words "of the purchaser," and insert the words "of said tax assessor."

The amendments were adopted, and the bill read the third time and passed—yeas 52, nays 2.

Those who voted yea are—

Messrs. Speaker, Allen, Aldridge, Barron, Beirne, Betts, Billups, Blevins, Bonner, Boyd, Bozeman, Brewer, Baker, Brown, Carson, Chambers, Clements, Cockrell, Crews, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Grant, Greene of Jefferson, Greene of Lee, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Kirkland, Lewis, Maples, Martin, Price, Prowell, Reese, Shepard, Stevens, St. John, Tate, Townsend, Troup, Wilson, Witherspoon, Wood of Marengo, and Woolf—52.

Those who voted nay are—

Messrs. Lee and Mathews—2.

By leave, Mr. Price introduced—

H. M. 487. Joint memorial to the congress of the United States for the improvement of the Coosa river;

Which was read and adopted.

The house concurred in the senate amendment to the bill—

H. B. 462. To define the duty of the auditor of the State in relation to land sold for taxes and purchased by the State.

Yeas 57, nays 0.

Those who voted yea are—

Messrs. Allen, Aldridge, Barron, Beirne, Betts, Billups, Blevins, Bonner, Brewer, Baker, Brantley, Brown, Chambers, Clements, Cook, Cockrell, Crews, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Grant, Greene of Lee, Gullett, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Holloway, Huey, Jenkins, Jones of Pickens, Jones

of Russell, Kirkland, Lewis, Maples, Price, Prowell, Reese, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Townsend, Troup, Wharton, Wilson, Witherspoon, Wood of Marengo, Woolf—57.

Also, concurred in the senate amendment to the bill—

H. B. 312. For the relief of James L. Pugh, and to pay him for services rendered the State as attorney.

Yeas 51, nays 7.

Those who voted yea are—

Messrs. Aldridge, Andrews, Beirne, Betts, Billups, Bonner, Bozeman, Brewer, Baker, Brown, Carson, Chambers, Clements, Crews, Davis, Dickson, Espy, Farriss, Fielder, Franklin, Grant, Greene of Jefferson, Gullede, Harris of Dallas, Harris of Perry, Heaton, Herman, Higgins, Huey, Jones of Pickens, Jones of Russell, Kirkland, Lewis, Maples, Martin, Mitchell, Price, Rice, Rousseau, Shepard, Sims, Smith of Franklin, Stevens, St. John, Tate, Troup, Wharton, Wilson, Witherwood of Marengo, and Wood of Talladega—51.

Those who voted nay are—

Messrs. Allen, Barron, Cashin, Cockrell, Greene of Lee, Townsend and Woolf—7.

Also, concurred in the senate amendment, by way of a substitute, for the house—

H. B. 485. Joint resolution raising a joint committee for the purpose of investigating certain matters therein mentioned.

Also, concurred in the senate amendment to the bill—

H. B. 397. To establish, organize and regulate a system of public instruction for the State of Alabama.

Yeas 37, nays 21.

Those who voted yea are—

Messrs. Andrews, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Gibson, Grant, Greene of Jefferson, Greene of Lee, Heaton, Herman, Holloway, Jones of Pickens, Lewis, Price, Rice, Rousseau, Shepard, Stevens, Townsend, Wilson and Woolf—37.

Those who voted nay are—

Messrs. Allen, Aldridge, Boyd, Bozeman, Brantley, Cashin, Cockrell, Franklin, Gullede, Harris of Dallas, Harris of Perry, Higgins, Kirkland, Maples, Martin, Smith of Franklin, St. John, Troup, Wharton, Witherspoon and Wood of Marengo—21.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 7, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 468. To organize the militia of Alabama.

H. B. 472. To incorporate the Whistler Industrial Co-operative Association.

H. B. 265. To incorporate the Alabama State Grange Fair.

And has amended, as therein shown, and passed the house bill—

H. B. 397. To establish, organize and regulate a system of public instruction for the State of Alabama.

Respectfully,

S. B. BREWER,
Secretary of the Senate.

MESSAGE FROM THE GOVERNOR.

STATE OF ALABAMA,

EXECUTIVE DEPARTMENT,
March 7, 1876.

Mr. Speaker :

The Governor has approved the following bills, which originated in the house of representatives :

H. B. 406. To repeal so much of an act to prohibit the sale, giving away or otherwise disposing of vinous, spirituous or malt liquors, intoxicating bitters, or other intoxicating beverages, within two and a half miles of the Pierce Coal Mines in section 12, township 14, range 3, west, and also within two and a half miles of New Castle Coal Mines in Jefferson county, approved December 17, 1873, as relates to the Pierce Coal Mines.

H. B. 328. To provide for the partition of the property where a part thereof lies in more than one county.

H. B. 293. To amend section 4345 of the Revised Code.

H. B. 350. To enable married women whose husbands are insane, or *non compos mentis*, to convey real estate.

H. B. 473. To amend section one of an act to prohibit the

sale or giving away of spirituous liquors in certain cases, approved 15th April, 1873.

H. B. 452. To incorporate Clintonville Academy in Coffee county.

H. B. 232. To amend sub-division six of section 680 of the Revised Code.

H. B. 468. To amend an act approved February 20, 1875, entitled an act to amend the act to prescribe the time of holding the circuit courts in the tenth judicial circuit, approved March 14, 1872.

H. B. 306. To change and define the line between the counties of DeKalb and Cherokee.

H. B. 448. To provide for the keeping of dockets in criminal cases by justices of the peace and notaries public.

Respectfully,

L. R. DAVIS,
Private Sec'y.

The senate joint resolutions—

S. R. 423. In reference to conducting the prosecution of the case vs. Geo. E. Spencer.

S. R. 431. In relation to extending time to commissioners under resolution of March 9, 1875, to investigate the claims of W. A. C. Jones;

Were severally read and adopted.

The senate joint resolution—

S. R. 420. In relation to the first centennial year of the Declaration of American Independence;

Was read.

Mr. Cashin moved to lay the resolution on the table;

Lost.

The resolution was adopted.

Mr. Woolf offered the following resolution, which was adopted:

Resolved, That George Y. Jarvis is to be allowed four dollars per day for his services as assistant door-keeper of the house during the present session of the general assembly.

Mr. Holloway moved to reconsider the vote by which the house concurred in the adverse report of the committee to the senate bill—

S. B. 19. To repeal sections 1858, 1859 and 1860 of the Revised Code.

Mr. Wharton moved to lay the motion on the table;

Carried—yeas 41, nays 16.

Those who voted yea are—

Messrs. Allen, Andrews, Beirne, Betts, Billups, Blevins, Bliss, Boyd, Bozeman, Brewer, Brantley, Carson, Cashin, Clements, Cook, Crews, Davis, Dillon, Espy, Farriss, Franklin, Grant, Greene of Jefferson, Harris of Dallas, Harris of Perry, Heaton, Jones of Pickens, Jones of Russell, Maples, Martin, Mathews, Mitchell, Rice, Tate, Townsend, Troup, Wharton, Witherspoon, Wood of Marengo, Woolf and Wynne—41.

Those who voted nay are—

Messrs. Bonner, Brown, Chambers, Dickson, Gibson, Greene of Lee, Holloway, Huey, Jenkins, Kirkland, Shepard, Smith of Franklin, Stevens, St. John, Straughn and Wilson—16.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

March 7, 1876.

Mr. Speaker :

The senate concurs in the house amendment to the senate bill—

S. B. 371. To require publication of notice that application will be made to the Governor to pardon convicts, or to remit fines and forfeitures.

And has passed the following house bill :

H. B. 314. To amend an act approved December 18, 1874, entitled an act to make it lawful for the sheriffs of Marion and other counties therein named to serve process issued by justices of the peace, &c.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

On motion of Mr. Price, the house proceeded to the consideration of the report of the committee of conference on the disagreement of the two houses on the senate amendment by way of substitute to the bill—

H. B. 128. To provide for the revision, digesting and promulgation of the public statutes of this State of a general nature;

And concurred therein by the following vote :

Yeas 51, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Beirne, Betts, Billups,

Bliss, Bonner, Bozeman, Brewer, Baker, Brown, Carson, Chambers, Clements, Crews, Davis, Dickson, Dillon, Farriss, Franklin, Gibson, Grant, Greene of Jefferson, Harris of Dallas, Harris of Perry, Heaton, Herman, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Lewis, Maples, Mathews, Mitchell, Price, Rice, Rousseau, Shepard, Smith of Franklin, Stallworth, St. John, Straughn, Townsend, Troup, Wharton, Wilson and Woolf—51.

SIGNING BILLS.

And the Speaker, in the presence of the house and immediately after the titles had been publicly read, signed the following senate bills :

s. B. 112. To fix the compensation of the Superintendent of Education.

s. B. 380. To pay Jos. Baumer for articles furnished the senate chamber.

s. B. 245. To repeal an act to authorize the Governor to settle with the Montgomery and Eufaula railroad company, approved April 15, 1873.

s. B. 263. To repeal an act to allow the court of county commissioners of Wilcox county to levy a tax greater than fifty per cent., approved October 10, 1868.

s. B. 46. To regulate the purchase of stationery and other material for the use of county offices in this State.

s. B. 243. To regulate the trial of misdemeanors in Lauderdale county.

s. B. 352. Requiring probate judges to cancel interest on State obligations in the manner as required by the State Treasurer.

s. B. 279. To require persons holding claims against any county where the records have been destroyed by fire to have them registered within twelve months.

s. B. 324. To regulate the terms of the circuit court of Dallas county in the first judicial circuit.

s. B. 274. To authorize the issuance of branch summons by justices of the peace.

s. B. 359. To prevent the sale, giving away, or otherwise disposing of spirituous, vinous or malt liquors within five miles of the nineteenth mile post, or the Sodda church, on the Butler's Mill road, and Bethesda church, situated between the Woodley road and the Butler's Mills road, in Montgomery county.

s. B. 82. For the payment of P. Phillips for professional

services rendered to this State in the supreme court of the United States.

S. B. 386. To induce immigration to the State of Alabama and to provide for the appointment of a commissioner and two assistant commissioners of immigration.

S. B. 363. To authorize appeals in certain cases.

S. B. 128. To provide for the transfer of causes in the chancery court in certain cases.

S. B. 310. To appropriate \$2,500 for repairing the capitol and fencing inclosing the same.

S. B. 32. To provide for the punishment of persons convicted of crimes in certain cases.

S. B. 335. To declare a lien in favor of tenants in common on crops grown by them, for advances made by them in certain cases.

S. B. 152. To provide for the payment of proper compensation to the counsel employed by the Governor to enforce the collection of taxes on the capital stock of national banks.

S. B. 336. To authorize and regulate the partition of crops among tenants in common or joint owners therein, and to enforce liens thereon in certain cases.

S. B. 273. To amend sections 4304 and 4305 of the Revised Code.

S. B. 296. To amend section 3203 of the Revised Code.

S. B. 234. To provide for the public printing of this State.

S. B. 304. To amend an act to amend sections 2961 and 2962 of the Revised Code.

S. B. 355. To abolish the court of county commissioners of Lowndes county.

S. B. 381. To amend section 10 of an act to establish a new charter for the town of Union Springs, Bullock county, Alabama.

Mr. Chambers, from the committee on education, reported favorably to the senate bill—

S. B. 282. To authorize and empower the Troy Female College to issue diplomas or other evidences of educational attainment;

Which bill was read the third time and passed—yeas 51, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Billups, Bliss, Boyd, Bozeman, Brantley, Brown, Carson, Cashin, Clements, Cook, Cockrell, Dickson, Dillon, Espy, Farriss, Franklin, Grant, Greene of Lee, Harris of Dallas, Harris of Perry, Heaton, Higgins, Holloway, Huey, Jones of Pick-

ens, Kirkland, Lee, Maples, Martin, Mathews, Mitchell, Price Rice, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Witherspoon, Wood of Marengo, Wood of Talladega, Woolf and Wynne—51.

On motion of Mr. Chambers, the house took a recess for half an hour.

At the expiration of the half hour, the house was called to order by the speaker.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 7, 1876.

Mr. Speaker :

The senate has amended, as therein shown, and passed the house bill—

H. B. 415. To authorize the incorporation of railroad companies in this State.

And has passed the house bill—

H. B. 335. To incorporate the Grand Lodge of Independent Order of Good Templars of the State of Alabama, and the subordinate lodges under its jurisdiction.

H. B. 476. For the relief of maimed soldiers.

H. B. 416. To repeal an act to prohibit the sale of liquors within three miles of Richland Baptist Church, approved March 18, 1875, so far as it relates to Barbour county.

H. B. 39. To repeal an act to prohibit the selling or giving away of spirituous or vinous liquors within three miles of the Baptist Church at Rodgersville, in the county of Lauderdale, approved December 17, 1874.

H. B. 168. To amend section 509 of the Revised Code.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following correctly enrolled :

H. B. 270. To provide for the impeachment and removal from office of the officers mentioned in sections 2 and 3, article 7, of the constitution of Alabama.

H. B. 483. To authorize the corporate authorities of the city of Montgomery to levy and collect a tax upon personal property.

H. B. 122. To fix the times of holding the circuit courts in the several counties composing the ninth judicial circuit.

H. B. 302. To regulate the duties and fix the compensation of solicitors of judicial circuits.

H. B. 48. To amend section 15 of an act to authorize the probate judges in the counties of Jackson, &c., to order elections in certain cases, to prevent the sale or giving or otherwise disposing of vinous or spirituous liquors within certain limits in such counties, approved March 19, 1875.

H. B. 373. To incorporate the Cherokee Manufacturing Company.

And the speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills.

The house concurred in the senate amendment to the bill—

H. B. 415. To authorize the incorporation of railroad companies in this State—yeas 52, nays 0.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Beirne, Betts, Billups, Blevins, Bliss, Bonner, Boyd, Bozeman, Brewer, Brown, Carson, Clements, Crews, Davis, Dickson, Dillon, Espy, Farriss, Fielder, Franklin, Grant, Greene of Lee, Harris of Perry, Herman, Holloway, Huey, Jenkins, Jones of Pickens, Jones of Russell, Kirkland, Lee, Lewis, Martin, Mitchell, Price, Reese, Rice, Shepard, Smith of Franklin, Stevens, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Marengo, and Woolf—52.

By leave, Mr. Chambers offered joint resolution—

H. B. 488. To authorize the commissioners appointed to adjust the State debt to investigate certain matters in relation to the administration of David P. Lewis and Rob't B. Lindsay, late Governors of Alabama.

Mr. Lewis moved to lay the resolution on the table. Lost.

And the resolution was adopted.

On motion of Mr. Price, the house took a recess until 4½ o'clock this p. m.

EVENING SESSION.

The house met pursuant to adjournment.

SIGNING BILLS BY THE SPEAKER.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the following senate bills :

S. B. 34. To amend section 2902 of the Revised Code ;

S. B. 227. To regulate the granting of licences to retail vinous or spirituous liquors in this State ;

S. B. 371. To require publication of notice that application will be made to the Governor to pardon convicts, or to remit fines and forfeitures ;

S. B. 356. To establish a board of revenue for Lowndes county, and to define the duties and powers of said board of revenue.

LEAVE OF ABSENCE.

Leave of absence was granted for the remainder of the session to Mr. Beirne for the remainder of session on account of sickness.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,

March 7, 1876.

Mr. Speaker :

The senate has amended, as therein shown, and passed the house bill :

H. B. 424. To detach the county of Blount from the seventh congressional district and attach it to the sixth.

And has passed the house bills :

H. B. 388. For the relief of persons having but one arm, or but one leg, and all others who labor under physical disability of earning a livelihood by labor ;

H. B. 159. To repeal an act to prohibit the selling of vinous or spirituous liquors within two miles of Snow Hill Depot, and within two miles of Bethsada Baptist Church, in Wilcox county ;

H. B. 436. To require the court of county commissioners,

and the treasurer of Jefferson county to publish semi-annual exhibits of the receipts and expenditures of money for and on account of said county.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

The house concurred in the senate amendments to the bill—

H. B. 424. To detach the county of Blount from the seventh congressional district and attach it to the sixth.

Yeas 32, nays 28.

Those who voted yea are—

Messrs. Aldridge, Andrews, Beirne, Bell, Betts, Billups, Bonner, Brewer, Brown, Chambers, Clements, Dickson, Farriss, Gibson, Greene of Lee, Heaton, Herman, Higgins, Huey, Jones of Pickens, Jones of Russell, Kirkland, Maples, Price, Smith of Franklin, Stevens, St. John, Tate, Townsend, Troup, Wharton and Wilson—32.

Those who voted nay are—

Messrs. Speaker, Allen, Barron, Bennett, Blevins, Boyd, Baker, Brantley, Coon, Cockrell, Davis, Dillon, Espy, Grant, Harris of Dallas, Harris of Perry, Holloway, Jenkins, Lee, Lewis, Martin, Mitchell, Reese, Rice, Straughn, Wood of Maringo, Woolf and Wynne—28.

Mr. Rice moved to adjourn until to-morrow morning, 11 o'clock. Lost.

Mr. Grant moved to adjourn until to-morrow morning, 9 o'clock. Lost.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported as correctly enrolled the following bills:

H. B. 472. To incorporate the Whistler Industrial Co-operative Society;

H. B. 39. To repeal an act, approved December 17, 1874, prohibiting the sale, or otherwise disposing of spirituous or vinous liquors within three miles of the Baptist church at Rodgersville, Lauderdale county, approved Dec. 17, 1874;

H. B. 416. To repeal an act to prohibit the sale of liquors within three miles of Richland Baptist church, in Pike county, approved March 18, 1875, so far as the same relates to Barbour county;

H. B. 205. To protect parties occupying or cultivating lands under a common fence from trespass of stock ;

H. B. 314. To amend an act approved December 18, 1874, entitled an act to make it lawful for the sheriffs of Marion, and other counties therein named, to serve processes issued by justices of the peace ;

H. B. 427½. To create a lien on ships, steamboats, and other water craft, in certain cases ;

H. B. 168. To amend section 509 of the Revised Code.

SIGNING BILLS.

The speaker, in the presence of the house, and immediately after the titles had been publicly read, signed said bills.

On motion, the house adjourned until to-morrow morning, 11 o'clock.

SIXTY-FIRST DAY.

WEDNESDAY, March 8, 1876.

The house met pursuant to adjournment.

Prayer by Rev. Mr. Wilson of the house.

Journal of yesterday was read, corrected and approved.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 8, 1876.

Mr. Speaker :

The senate has adopted the house joint resolution—

H. B. 488. Authorizing and instructing the commissioners appointed to settle the public debt of the State to inquire into and report on certain financial transactions of ex-governors Lewis and Lindsay.

The senate has adopted the house joint memorial—

H. B. 487. To the congress of the United States relative to opening the Coosa river and its tributaries to navigation.

The senate has passed the following house bills :

H. B. 357. To pay Mrs. Narcissa H. Heidt, adm'x of the

estate of E. A. Heidt, deceased, for advertising lands in the county of Perry, in this State, to be sold for taxes ;

H. B. 353. To incorporate the Greensboro Guards, a volunteer militia company.

The senate concurs in the house amendments to the senate bill—

s. B. 163. To authorize and require courts of county commissioners to correct errors made by tax collectors in the sale of lands for taxes since 1st day of January, in the year 1868.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 8, 1876.

Mr. Speaker :

The senate has passed the following house bills :

H. B. 402. To repeal an act to incorporate the town of Lowndesboro, in Lowndes county, and to amend the charter of the town of Hayneville, approved February 20, 1866, so far as the same applies or relates to Lowndesboro ;

H. B. 450. To prevent county officials from being interested in county contracts.

And has adopted the following accompanying joint resolution, relative to hour of adjournment to-day.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 8, 1876.

Mr. Speaker :

The senate has passed the following house bill :

H. B. 433. To repeal an act to incorporate the town of Centreville, in the county of Bibb, approved 21st January, 1852.

Respectfully,

S. B. BREWER,
Secretary.

SIGNING SENATE BILLS.

The Speaker, in the presence of the house, and immediately after the titles had been publicly read, signed the following senate bills:

S. B. 397. To repeal an act to prohibit the sale, giving away or otherwise disposing of any spirituous, vinous or malt liquors, or any intoxicating bitters, within one mile and a half of the town of Cherokee, in Colbert county.

S. B. 375. For the relief of Mrs. Eliza Hunsucker, of St. Clair county.

S. B. 369. To make printers' bills a part of the costs in cases where publication is made.

S. B. 415. To prescribe the time for holding the chancery court in the county of Monroe.

S. B. 416. To fix the times of holding the circuit court in the second judicial circuit.

S. B. 400. To amend section 15 of an act to authorize the mayor and aldermen of the town of Gadsden to lay off the limits of said town into five wards, define the number and mode of selection of officers, their powers and duties, with authority to increase or diminish the corporate limits of said town by a majority vote of the legally authorized voters of said town, and for other purposes in said act mentioned.

S. B. 282. To authorize and empower the "Troy Female College" to issue diplomas, or other evidences of educational attainment.

S. B. 367. To incorporate the town of Fredonia, in Chambers county.

S. B. 420. Joint resolution in relation to the first centennial year of the declaration of American independence.

S. B. 421. Joint resolution in relation to extending time to commissioners, under resolution of March 19th, 1875, to investigate the claim of W. A. C. Jones.

S. B. 423. Joint resolution in reference to conducting the prosecution in the case vs. Geo. E. Spencer.

S. B. 406. To authorize the city of Montgomery to work, outside the city limits, persons convicted of violations of ordinances of the city;

S. B. 163. To authorize and require courts of county commissioners to correct errors made by tax collectors in the sale of lands for taxes, since the first day of January, in the year 1868.

MESSAGE FROM THE GOVERNOR,

By his Private Secretary, Mr. Davis :

STATE OF ALABAMA.

EXECUTIVE DEPARTMENT,

March 7, 1876.

Mr. Speaker :

The Governor has approved the following bills, which originated in the house of representatives :

H. B. 292. To prevent clerks, deputy clerks and employees, from practicing law in the courts in which they are clerks, deputy clerks or employees.

H. B. 483. To authorize the corporate authorities of the city of Montgomery to levy and collect a tax on personal property.

H. B. 122. To fix the time for holding the circuit courts of the several judicial circuits composing the ninth (9th) judicial circuit.

H. B. 48. To amend section fifteen of an act to authorize probate judges in the counties of Jackson, Clark, Shelby, Randolph, Coosa, Winston, Fayette, Cleburne, Tuscaloosa, Monroe, Marion, DeKalb, St. Clair, Calhoun, Sanford, Jefferson, Baldwin, Cherokee, Clay, Lauderdale, Blount and Morgan to order elections, in certain cases, to prevent the sale, or giving away, or other disposition of vinous or spirituous liquors within certain limits in such counties, approved March 19th, 1875.

H. B. 373. To incorporate the Cherokee Manufacturing Company.

H. B. 302. To regulate the duties and provide for the compensation of solicitors of judicial circuits.

H. B. 270. To provide for the impeachment and removal from office of the officers mentioned in sections two and three, article seven, of the constitution of Alabama.

Respectfully,

L. R. DAVIS,
Private Sec'y.

On motion of Mr. Chambers, the vote by which the house concurred in the amendment of the senate to the bill—

H. B. 424. To detach the county of Blount from the seventh congressional district and attach it to the sixth ;

Was reconsidered—yeas 40, nays 15.

Those who voted yea are—

Messrs. Speaker, Aldridge, Andrews, Barron, Bell, Billups, Bonner, Brewer, Baker, Brown, Chambers, Clements, Crews, Dickson, Dillon, Espy, Farriss, Gibson, Grant, Gullledge, Higgins, Holloway, Huey, Jenkins, Jones of Russell, Kirkland, Maples, Mitchell, Price, Smith of Franklin, Stevens, St. John, Straughn, Tate, Townsend, Troup, Wharton, Wilson, Wood of Talladega and Woolf—40.

Those who voted nay are—

Messrs. Bennett, Bliss, Brantley, Cashin, Cook, Coon, Cockrell, Fagan, Gilmer of Montgomery, Harris of Dallas, Harris of Perry, Lee, Lewis, Martin and Wood of Marengo—15.

On motion of Mr. Price, the senate joint resolution, extending the hour of final adjournment to six, p. m., was taken up.

Mr. Blevins moved to lay the resolution on the table. Lost. And the resolution was adopted.

ENROLLED BILLS.

Mr. Barron, from the committee on enrolled bills, reported the following as correctly enrolled :

H. B. 335. To incorporate the Grand Lodge of Independent Order of Good Templars of the State of Alabama, and the subordinate lodges under its jurisdiction.

H. B. 476. For the relief of maimed soldiers.

H. B. 159. To repeal an act to prohibit the selling of vinous or spirituous liquors within two miles of Snow Hill depot, and within two miles of Bethsaida Baptist church, in Wilcox county.

H. B. 128. To provide for the revision, digesting and promulgation of the public statutes of this State of a general nature.

H. B. 388. For the relief of persons having but one arm or but one leg, and all others who labor under physical disability of earning a livelihood by labor.

H. B. 462. To define the duty of the Auditor of the State in relation to lands sold for taxes and purchased by the State.

H. B. 265. To incorporate the Alabama State Grange Fair.

H. B. 436. To require the court of county commissioners and the treasurer of Jefferson county to publish semi-annual exhibits of the receipts and expenditures of money for and on account of said county.

H. M. 487. Joint memorial to the congress of the United States for the improvement of the Coosa river.

H. B. 468. To organize the militia of Alabama.

H. B. 415. To authorize the incorporation of railroad companies in this State.

H. B. 312. For the relief of James L. Pugh, and to pay him for services rendered the State as attorney.

H. R. 485. Joint resolution referring the item of \$29,750, as shown by auditor's report, from the Agricultural and Mechanical College to the commissioners appointed to adjust the public debt.

H. B. 461. To amend section 6 of an act entitled an act to establish a board of commissioners of roads in the county of Mobile, and to prescribe the duties thereof, approved December 20, 1871.

H. B. 357. To pay Mrs. Narcissa H. Heidt, administratrix of the estate of E. A. Heidt, deceased, for advertising lands in the county of Perry, in this State, to be sold for taxes.

H. B. 450. To prevent county officials from being interested in county contracts.

H. B. 402. To repeal an act to incorporate the town of Lowndesboro, in Lowndes county, and to amend the charter of the town of Hayneville, approved February 20, 1866, so far as the same relates or applies to Lowndesboro.

H. B. 433. To repeal an act to incorporate the town of Centerville, in the county of Bibb, approved January 21, 1832.

H. B. 397. To establish, organize and regulate a system of public instruction for the State of Alabama.

H. B. 353. To incorporate the Greensboro Guards, a volunteer military company.

SIGNING BILLS.

And the speaker, in the presence of the house and immediately after the titles had been publicly read, signed said bills.

Mr. Woolf offered the following resolutions, which were severally adopted:

Resolved, That the thanks of this house are due, and are hereby tendered, to the Hon. D. C. Anderson, speaker, for the able, dignified and impartial manner in which he has discharged the difficult and responsible duties of his office.

Resolved, That we tender to the Hons. W. M. Smith, N. N.

Clements and M. J. Greene, the thanks of this house for the impartial and dignified manner in which they have discharged their duties when called to preside over the deliberations of the house.

Resolved, That the thanks of this house are hereby tendered to the clerks, and other employes of the house, for the able, prompt, efficient and polite manner in which they have performed their respective duties.

Mr. Chambers offered the following resolution, which was adopted :

Resolved, That the thanks of the house are hereby tendered to the clergymen of the city who have officiated as chaplains, during the present session, in opening the daily sessions with prayer.

Mr. Harris, of Perry, offered the following resolution, which was adopted :

Resolved, That the thanks of this house are hereby tendered to the Hon. J. F. Cocke, the door-keeper, and W. M. Knight, assistant, for the faithful and impartial manner in which they have discharged their duties as such, during the present session of the general assembly.

On motion of Mr. Townsend, the house took a recess until 5 o'clock this evening.

EVENING SESSION.

The house met at the hour of 5, p. m.

MESSAGE FROM THE GOVERNOR,

STATE OF ALABAMA,

EXECUTIVE DEPARTMENT,

March 8, 1876.

Mr. Speaker :

The Governor has approved the following bills which originated in the house of representatives :

H. B. 472. An act to incorporate the Whistler Industrial Co-operation Association.

H. B. 427 $\frac{1}{2}$. An act to create a lien on ships, steamboats and other water crafts, in certain cases.

H. B. 168. An act to amend section 509 of the Revised Code.

H. B. 314. An act to amend an act, approved December 18, 1874, entitled an act to make it lawful for the sheriff of Marion county, and other counties therein named, to serve process issued by justices of the peace, &c.

H. B. 39. An act to repeal an act to prohibit the selling or giving away of spirituous or vinous liquors within three miles of the Baptist church at Rodgersville, Lauderdale county, approved December 17, 1874.

H. B. 416. An act to repeal an act to prohibit the sale of liquors within three miles of Richland Baptist church, in Pike county, approved March 18, 1875, so far as it relates to Barbour county.

H. B. 205. An act to protect parties occupying or cultivating land under a common fence, from trespasses of stock.

H. B. 468. An act to organize the militia of Alabama.

H. B. 487. Memorial to congress for the improvement of the Coosa river.

H. B. 335. An act to incorporate the Grand Lodge of Independent Order of Good Templars of the State of Alabama, and the subordinate lodges under its jurisdiction.

H. B. 476. An act for the relief of maimed soldiers.

H. B. 159. To repeal an act to prohibit the selling or giving away of spirituous or vinous liquors within three miles of Snow Hill depot, and within three miles of Bethsaida Baptist church, in Wilcox county.

H. B. 128. To provide for the revision, digesting and promulgation of the public statutes of this State of a general nature.

H. B. 338. For the relief of persons having but one arm or one leg, and all others who labor under physical disability of earning a livelihood by labor.

H. B. 462. An act to define the duty of the auditor of the State in relation to lands sold for taxes and purchased by the State.

H. B. 202. An act to repeal an act to incorporate the town of Lowndesboro, in Lowndes county, and to amend the charter of the town of Hayneville, approved February 20, 1866, so far as the same applies or relates to Lowndesboro.

H. B. 433. An act to repeal an act to incorporate the town of Centerville, in the county of Bibb, approved January 21, 1832.

H. B. 353. An act to incorporate the Greensboro Guards, a volunteer militia company.

H. B. 397. An act to establish, organize and regulate a system of public instruction for the State of Alabama.

H. B. 450. An act to prevent county officials from being interested in county contracts.

H. B. 357. An act to pay Mrs. Narcissa H. Heidt, administratrix of E. A. Heidt, deceased, for advertising lands in the county of Perry, in this State, to be sold for taxes.

H. B. 461. An act to amend section six of an act to establish a board of commissioners of roads in the county of Mobile, and to prescribe the duties thereof, approved December 20, 1871.

H. B. 265. An act to incorporate the Alabama State Grange Fair.

H. B. 436. An act to require the court of county commissioners of Jefferson county to publish semi-annual exhibits of the receipts and expenditures of money for and on account of said county.

H. R. 488. Joint resolution to authorize the commissioners appointed to adjust the State debt to investigate certain matters in relation to the administrations of David P. Lewis and Robert B. Lindsay, late Governors of Alabama.

H. R. 485. Joint resolution referring the item of \$29,750, as shown by the Auditor's report, from the Alabama Agricultural and Mechanical College to the commissioners appointed to adjust the public debt.

H. B. 415. An act to be entitled an act to authorize the incorporation of railroad companies in this State.

H. B. 312. An act to be entitled an act for the relief of Jas. L. Pugh, and to pay him for services rendered the State as attorney.

Very respectfully,

L. R. DAVIS,
Private Secretary.

Mr. Chambers offered the following joint resolution, which was adopted :

Resolved by the house of representatives, (the senate concurring,) That a committee of three on the part of the house, and two on the part of the senate, be appointed to wait on the Governor and enquire whether he has any other communication to make to the general assembly.

Committee on the part of the house—Messrs. Chambers, Holloway and Jenkins.

MESSAGE FROM THE SENATE.

SENATE CHAMBER,
March 8, 1876.

Mr. Speaker :

The senate concurs in the house resolution appointing a joint committee to wait on the Governor to ascertain whether he has any further communication to make to the general assembly.

The committee on the part of the senate—Messrs. Cunningham and Harris of Russell.

Respectfully,

S. B. BREWER,
Sec'y of Senate.

Mr. Chambers, from the committee appointed to wait upon the Governor, reported that the committee had discharged that duty, and that the Governor had no other communication to make to the general assembly.

Mr. Smith of Franklin, said :

Mr. Speaker :

Returning thanks to the house of representatives for the complimentary resolution just adopted, I hope I will be indulged while I express to my colleagues, on this floor, the deep gratitude I feel to them for this expression of their kindness. In the varied and complicated duties through which I have passed, as a member on the floor or as Speaker *pro tempore* in the chair, it has been my sincere desire to discharge the duties thrown upon me to the very best of my ability, and it may have occurred, in the many trying positions through which I have been called to pass, that I may have erred ; but let me assure every member upon this floor that it was an error of the head and not of the heart. In the close of the duties of this busy and laborious session of the general assembly, permit me to hope that the great questions of public policy that have been inaugurated by this legislature will be of lasting and incalculable benefit to our common constituency. Now, Mr. Speaker, I may be permitted to remark that during the existence of our term of office as members of the general assembly, many friendships have been formed that doubtless will be lasting as life itself. But the many pleasant associations that have been formed must

soon be brought to a close, perhaps, with many of us forever.

Mr. Speaker, I cannot, with justice to my feelings, bring these remarks to a close without tendering to the distinguished gentleman who has so long and so ably presided over the deliberations of this house, the gratitude of my heart for the many courtesies and acts of kindness I have received at your hands.

Mr. Speaker, again permit me to thank the house for the compliment they have conferred by the adoption of the resolution.

Mr. Clements said :

Mr. Speaker :

I cannot refrain from returning my sincere thanks for the kind expressions of respect and regard on the part of those who joined in the adoption of these resolutions, for those with whom I have been associated for two years, both upon the floor, in committee room, and especially while presiding over the deliberations of the house. The kind sentiments expressed in the adoption of the resolutions awakens in my heart the most pleasing thoughts and emotions.

I have often been called to preside over your deliberations, and at times that were most trying to me, so young in parliamentary proceedings. Yet, with a steadfast purpose in the discharge of any duty and responsibility imposed upon me, I have endeavored to do so with zeal and fidelity. And my aim has been to be prompt, impartial, candid and just to all in my rulings. Neither from fear or favor have I deviated from a faithful and conscientious discharge of duty, and all my rulings have been prompted by the same conscientiousness. If there has been any unpleasant occurrences, during our intercourse as members of this house, I beg that they be forgotten, and that the veil of oblivion may obscure all bitterness of feeling, for I assure you, gentlemen, that when I leave these halls, I shall go with no other feelings than those of kindness and friendship for each of you.

My associations with you, gentlemen, for the past two winters, have been those of a most agreeable and pleasant character, and during our intercourse here a friendship has grown up between us that cannot well be forgotten.

We are now just on the eve of ending our legislative career, and soon to bid each other farewell, and return to our several homes, to be there welcomed by loving ones.

We have passed through the dreary winter, and now the

flowers of spring are budding forth in their beauty and fragrance to welcome each to his home.

We will soon part to meet no more, perhaps, as members of this house. And if perchance, any one of you, in after years, should recall my name, or think of any incident that has occurred, with which my name may be connected, I trust you will remember it with emotions of kindness, pleasure and friendship, for I heartily wish each of you, gentlemen, well, and my sincere desires for your future success, prosperity and happiness.

Mr. Speaker Anderson said :

GENTLEMEN—The hour has arrived which must terminate our official relations to the country, and to one another. Before announcing the final adjournment, both the usage, belonging to the occasion, and my own feelings, require me to say something in reference to the duties in which we have been occupied, and a word of acknowledgment, and of farewell.

We have been associated together for two sessions as members of the general assembly, during a most important era in the history of the State.

In that interval of time, under the authority of the present general assembly, a convention has been held which revised and amended the former constitution and made organic changes, in many points of a fundamental character. And this constitution having been submitted to the people, has been ratified by a very great majority. Much of the time of this session has been devoted to the consideration and passage of such measures as were necessary to put into operation many of the provisions of the new constitution.

The leading measures of the session, and which will mark its character for a long time to come, are the revenue bill, and that to settle and compromise the public debt. To the consideration of and perfecting those bills, the best thought and talent, the most earnest and patriotic purpose of the two houses has been diligently and faithfully devoted. If they shall accomplish the object intended, in redeeming the good name and honor of the State in maintaining, in successful operation, its great systems of justice, and of charity, without imposing intolerable burdens on the people, it will mark a happy era in the history of our loved commonwealth. I hope, and believe, that when it is considered that our debt, as now compromised, is within our power to pay, that honor pre-

served is inestimable, that the larger part of this burden of debt is represented by great highways of inter-communication which are perpetually increasing our population, developing the resources of our territory in minerals and agricultural products, augmenting the old and creating new sources of wealth and binding together in bonds of closer union the interests and the affections of the people, these acts of this assembly will be hailed as the beginning of a great and beneficent change, continually expanding into a happy fraternity.

I might refer to many other bills, touching the daily business and the common welfare of the people, which have now become the laws of the land, but the occasion will hardly permit any further allusion.

Our work as delegates of the people, in the important trust of legislation, is now ended, and we shall return to them at once, content that our labors shall abide the test of their judgment and the experiment of time.

I return to you all my cordial thanks for the generous appreciation of my services, and for the manner in which it has been expressed. I will always retain it in memory as a precious recollection. I am greatly indebted for your forbearance and indulgence in the performance of the duties of the presiding officer of this house, many of which are so frequently attended with perplexing care, with unlooked for responsibility, and undeserved censure, and which it is often impossible to discharge to the satisfaction of the opposing parties. I can, however, conscientiously say, that I have endeavored to redeem the pledge I made, when I assumed the duties of this office, that I would, to the best of my ability, discharge them impartially and without prejudice. If at any time I have failed to recognize the rights of any member on this floor, or have done injustice, or given just offense to any member, the only reparation in my power I now make, in saying that I sincerely regret it.

In acknowledging my obligations I cannot forget to mention, with gratitude, those gentlemen, whom I called to the chair, and who frequently and generously aided me in its labors. By their uniform firmness and courtesy, and their ready knowledge of parliamentary practice, they greatly aided the speaker, and won the favor of the house.

I hope that a goodly number of those who have constituted this house, will return again as members of the next legislature. It is certain that all of us will not meet again. It is this feeling which casts an air of sadness over this occasion.

But the attachments we have here formed, and the pleasant associations connected with our official labors at this capitol, I trust may abide with us and be retained among the treasures of the heart.

And now, tendering to you again my grateful acknowledgment for your favors, and my best wishes for your individual health and happiness, I proceed to the performance of the only duty which remains to me, by announcing, as I now do, that the house of representatives of the State of Alabama stands adjourned *sine die*.

D. C. ANDERSON,
Speaker of the House.

Attest:

ELLIS PHELAN,
Clerk.

BILLS, JOINT RESOLUTIONS, MEMORIALS, AND PETITIONS,

Introduced into the House during the Session of 1875-6.

By Mr. ANDERSON, (Speaker,) —

- Jan. 13. H. B. 173. To repeal subdivision six of section one hundred and three of the revenue act. Jan. 14, to committee on revenue.
- Jan. 19. H. B. 234. To regulate the collection and disbursement of the fine and forfeiture fund. Jan. 20, to fees and salaries. Feb. 21, amended and passed.
- Jan. 24. H. B. 264. To declare the steps taken by the purchasers, under the first mortgage, of the Mobile and Montgomery railroad company, sufficient to organize a distinct corporation, &c. Jan. 25, to judiciary.
- Feb. 7. H. B. 399. To amend the act to amend the first section of the funding act. Feb. 8, to finance. March 4, passed.
- Feb. 11. H. B. 427. To provide for the salaries of judges appointed or elected to fill vacancies occurring before the next general election. Feb. 12, to judiciary. Feb. 26, passed. March 4, enrolled and signed.
- Feb. 13. H. B. 430. In relation to the swamp lands that have been sold. Feb. 15, to judiciary.
- Feb. 25. H. B. 474. To provide for the correction of excessive assessments of taxes on the property of infants, in certain cases. Feb. 25, to ways and means.

By Mr. ALLEN—

- Jan. 11. H. B. 139. To compel patrons to send children to school. Jan. 13, laid on table.
- Feb. 1. Joint resolution to raise a joint committee to fix a day for final adjournment. Laid on table.

By Mr. ALDRIDGE—

- Dec. 31. H. B. 13. In relation to holding chancery courts in the county of Blount. Jan. 3, to judiciary. Jan. 7, report favorable and passed.
- Jan. 21. H. B. 239. To amend section 3206 of the Revised Code. Jan. 22, to judiciary.
- Jan. 25. H. B. 272. To amend section 2860 of the Revised Code. Jan. 26, to judiciary.

By Mr. ANDREWS—

- Jan. 5. H. B. 65. To repeal an act to increase the pay of jurors of Barbour county. Jan. 6, to fees and salaries. Feb. 21, passed.
- Jan. 31. H. B. 322. To amend the first section of the act to amend the act to keep in each county a proportional share of the public school money. Feb. 1, to education.
- Feb. 11. H. B. 416. To repeal the act prohibiting sale of liquors within three miles of Richland Baptist church, in Pike county, so far as it relates to Barbour county. February 12, to temperance. February 22, passed. March 7, enrolled and signed.

By Mr. BAKER—

- Jan. 7. H. B. 105. To fix the time of holding the circuit court of Clarke county, &c. Jan. 8, to local legislation. January 22, report favorable and passed. February 1, enrolled and signed by speaker.
- Feb. 11. H. B. 426. To prohibit the sale of liquors within four miles of Suggsville, Clarke county. Feb. 12, to temperance.
- Feb. 18. H. B. 458. To change the boundary line between Clarke and Monroe. Feb. 19, to counties and county boundaries. Feb. 22, report adverse, and concurred in.

By Mr. BALDWIN—

- Jan. 4. H. B. 64. To prohibit interference with the disposal of agricultural products between sunset and sunrise. January 5, to judiciary.
- Jan. 13. H. B. 170. To amend subdivision five of section one hundred and two of the revenue law. To revenue.

By Mr. BARNETT—

- Dec. 29. H. B. 1. Joint resolution suspending operation of section fourteen of revenue law of 1875. To ways and means. Dec. 30, report favorable and passed. Dec. 31, enrolled, and signed by speaker, Jan. 8.
- H. B. 2. To repeal section thirty-nine of revenue law of 1875. To ways and means. Dec. 30, report favorable and passed. Dec. 31, senate amendment concurred in, and signed by speaker, Jan. 15.
- Jan. 6. Joint resolution raising joint committee on revenue. Adopted.
- Jan. 14. H. B. 182. To amend section 3932 of the Revised Code. Jan. 15, to judiciary.
- Jan. 26. H. B. 280. To attach the county of Clarke to the twelfth district, middle chancery division. Jan. 27, to special committee.
- Feb. 7. H. B. 393. To amend section 2961 of the Revised Code. Feb. 8, to judiciary. Feb. 28, passed. March 6, enrolled and signed.

By Mr. BARRON—

- Jan. 4. H. B. 57. To amend section 654 of the Revised Code. Jan. 5, to judiciary. Jan. 12, report favorable and passed. Jan. 23, enrolled and signed.
- H. B. 58. To authorize the publication of the laws, of a general character, passed at the present session. Jan. 5, to public printing. Jan. 7, report favorable and special order for Tuesday next. Jan. 11, referred to judiciary. Jan. 15, report favorable and passed. Feb. 17, senate amendment referred to judiciary. Feb. 26, concurred in, enrolled and signed.

By Mr. BARRON—CONTINUED.

- Jan. 5. H. B. 78. To authorize the commissioners court of Clay county to levy a special tax. Jan. 6, to local legislation.
- Jan. 17. H. B. 201. To pay J. R. Wing for work. Jan. 18, to judiciary.
- H. B. 220. To regulate the publication of legal notices in this State. Jan. 18, to judiciary.
- Jan. 19. H. B. 222. To provide for levying and collecting a special tax for Clay county. Jan. 20, to local legislation.
- Jan. 26. H. B. 287. To amend section 3633 of the Revised Code. Jan. 27, to judiciary. February 28, passed. March 6, enrolled and signed.
- Feb. 7. H. B. 383. For the relief of J. R. Wing and other persons. Feb. 8, to fees and salaries. Feb. 15, to accounts and claims. Feb. 19, substitute adopted and bill passed. March 4, senate amendment concurred in, enrolled and signed.
- H. B. 384. To authorize W. W. Wilkins of Clay county to peddle in said county without license. Feb. 8, to ways and means.

By Mr. BEIRNE—

- Jan. 3. H. B. 43. To fix the time for holding courts in fifth judicial circuit. Jan. 4, to local legislation. Jan. 22, report favorable and passed. Feb. 4, enrolled and signed.
- H. B. 44. To limit the time for commencing bastardy proceedings. Jan. 4, to judiciary. Jan. 7, report favorable, and special order for 1 p. m., Monday next. Jan. 11, read third time and lost.
- Jan. 11. H. B. 141. To guard against frivolous and vexatious litigation in chancery courts. Jan. 12, to judiciary.
- Jan. 13. H. B. 160. To protect persons having an interest in personal property as tenants in common, or part owners thereof. Jan. 14, to judiciary. Jan. 20, report favorable and passed. Feb. 3, enrolled and signed.
- Joint resolution in regard to the business to be transacted at the present session. Laid on the table, as also, the substitute of Mr. Smith of Franklin.

By Mr. BEIRNE—CONTINUED.

- Jan. 14. H. B. 180. To authorize appeals to the supreme court on all judgments or decrees granting or overruling motions for new trial at law, or rehearing in chancery. Jan. 15, to judiciary. Jan. 20, report favorable. Special order for 1 to-morrow. Jan. 21, read third time and lost.
- Feb. 16. H. B. 445. To amend the act of Feb. 17, 1871, amending the charter of Huntsville. Feb. 17, to special committee. Feb. 18, amended and passed. Feb. 25, enrolled and signed.

By Mr. BELL—

- Jan. 5. H. B. 66. To prohibit the carrying of fire-arms to public assemblies. Jan. 6, to judiciary.
- Jan. 7. H. B. 104. To repeal the act for the encouragement of mining, manufacturing, etc., pursuits. Jan. 8, to judiciary. Jan. 20, report favorable and passed. Jan. 31, enrolled and signed by speaker.
- Jan. 13. H. B. 171. To incorporate the Cherokee transportation company. Jan. 14, to corporations.
- Feb. 4. H. B. 373. To incorporate the Cherokee manufacturing company. Feb. 6, to corporations. Feb. 18, passed. March 7, enrolled and signed.
- Feb. 7. H. B. 382. To establish separate school districts within the several counties. Feb. 8, to education. Feb. 11, passed. March 6, enrolled and signed.

By Mr. BETTS—

- Jan. 14. H. B. 178. To prohibit circuit judges from holding special terms, and to repeal the act of 3d February 1875. Jan. 15, to judiciary. Jan. 21, report favorable, and laid on table.
- H. B. 179. To amend section 4225 of the Revised Code. Jan. 15, to judiciary.
- Jan. 17. H. B. 205. To protect parties occupying or cultivating lands under a common fence from trespasses by stock. Jan. 18, to judiciary.

By Mr. BETTS—CONTINUED.

- Feb. 28, passed. March 7, enrolled and signed.
- H. B. 206. To require depositions to be taken in certain cases. Jan. 18, to judiciary.
- H. B. 207. For the relief of small tax payers. Jan. 18, to ways and means. Jan. 22, report favorable and passed. Feb. 7, signed.
- H. B. 208. To prevent fraud under contracts for labor. Jan. 18, to judiciary. Feb. 4, substitute adopted. Feb. 5, passed.
- H. B. 209. To regulate license tax by municipal corporations. Jan. 18, to committee on revenue.
- Jan. 19. H. B. 227. To amend the act declaring a lien in favor of mechanics, &c. Jan. 20, to judiciary.
- H. B. 228. To place entries of deceased executors, etc., made prior to 14th February, 1867, upon same footing as to competency, as those made after that date. Jan. 20, judiciary. Feb. 28, passed. March 6, enrolled and signed.
- H. B. 229. To provide for the funding of all outstanding obligations. Jan. 20, to finance.
- H. B. 235. To carry into effect the intention of congress in its donation of lands to the university. One hundred copies ordered printed. Jan. 20, to committee on constitution.
- Mar. 1. H. B. 482. To regulate taxation upon express companies. March 2, to ways and means.
- Jan. 21. H. B. 244. To repeal all acts requiring capitol to be insured. Jan. 22, to state capitol. Feb. 22, lost.
- H. B. 245. To repeal the act providing for a sinking fund. Jan. 22, to finance.
- Jan. 27. H. B. 298. To incorporate the North Alabama Immigration Aid Society. Jan. 28, to corporations. Feb. 17, passed. March 3, enrolled and signed.
- Feb. 3. Joint resolution suspending reports of licenses collected by probate judges, until after first March. Adopted.
- Feb. 28. Joint resolution suspending the collection of the license tax, and the law requiring probate

By Mr. BETTS—CONTINUED.

judges to make monthly reports of money collected from licenses. Adopted.

- Mar. 1. H. B. 482. To regulate taxation upon express companies. Mar. 2, to ways and means. Mar. —, amended and passed.

By Mr. BILLUPS—

- Jan. 12. H. B. 148. To amend section 751 of the Revised Code. Jan. 13, to judiciary. Jan. 20, report favorable, amended and passed.
- H. B. 149. To repeal subdivision seventeen, of section 102, of the revenue law. Jan. 13, to revenue.
- H. B. 150. To amend section 3936 of the Revised Code. Jan. 13, to judiciary. Jan. 20, report favorable, and passed.
- Jan. 13. H. B. 174. To regulate the pay of members of the general assembly. Jan. 14, to fees and salaries.
- Jan. 19. H. B. 231. To provide for the fees of circuit clerks, in certain cases. Jan. 20, to fees and salaries. Feb. 22, passed.
- H. B. 232. To constitute the clerks of the circuit courts, *ex-officio* clerks of the county courts. Jan. 20, to judiciary.
- Feb. 8. Petition of citizens of Greene county for a stringent dog law. To agriculture and commerce.
- Mar. 3. Joint resolution on final adjournment. Mar. 4, substitute adopted.

By Mr. BONNER—

- Jan. 15. H. B. 192. To amend section 2339 of the Revised Code. Jan. 17, to judiciary.
- Feb. 19. H. B. 462. To require the auditor to certify the redemption of lands in certain cases. Feb. 21, to special committee. Feb. 22, substitute adopted and passed. March 7, senate amendment concurred in, enrolled and signed.

By Mr. BOZEMAN—

- Dec. 31. H. B. 27. To declare members of the general assembly ineligible to certain offices. Jan. 3, to judiciary.

By Mr. BRANTLEY—

- Jan. 3. H. B. 34. To repeal act prohibiting sale of liquor within beat known as Harrell's cross roads. Jan. 4, amended and referred to temperance.
- Jan. 25. H. B. 275. To prohibit the sale of liquor outside of incorporated towns, &c. Jan. 26, to temperance.

By Mr. BREWER—

- Dec. 31. H. B. 21. To amend subdivision 4, of section 5, of the revenue law. Jan. 3, to ways and means.
- Jan. 6. H. B. 96. To provide for more efficient collection of the poll tax. Jan. 7, to revenue.
- Jan. 19. H. B. 230. To prohibit sale of liquors at Pleasant Hill, Dallas county. Jan. 20, to temperance. Jan. 22, report favorable and passed. Feb. 19, enrolled and signed.
- Jan. 24. H. B. 263. To repeal an act prohibiting the sale of liquor at Union church, beat 7, Hale county. Jan. 25, to temperance. Feb. 21, passed. March 6, enrolled and signed.
- Jan. 31. H. B. 341. (By instructions from committee on revenue.) To establish a revenue code. Feb. 1, to ways and means. Feb. 2, report favorable, with amendments, consideration of bill made special order for 12, each day, until disposed of. See pages 308, 309, 314, 315, 316, 317, 318, 326, 327, 335, 336, 337, 338, 339, 344, 345, 346, 347, 348, 349, 353, 354, 355, 356, 357, 358, 364, 365, 366, 367, 368, 369, 370, 380, 381, 382, 383, 384, 391, 392, 393, 399, 400. Bill passed Feb. 14. Passed senate Feb. 26. See pp. 523, 547, 555, 556, 557, 575. March 2, committee of conference asked for. March 3, report of committee adopted. March 4, senate concurs, p. 630. March 6, enrolled and signed.
- Feb. 14. H. B. 444. To make appropriations for the fiscal year ending Sept. 30, 1876. Feb. 15, to ways and means. Feb. 17, passed. Feb. 25, enrolled and signed.
- Feb. 18. H. B. 461. To amend section 6 of the act to establish a board of commissioners of roads in

By Mr. BREWER—CONTINUED.

- Mobile county. Feb. 19, to local legislation. March 1, passed. March 7, senate amendment concurred in. March 8, enrolled and signed.
- Feb. 24. H. B. 476. For the relief of maimed soldiers. Feb. 25, to appropriations. March 3, passed. March 8, enrolled and signed.
- H. B. 477. To give landlords a lien on goods, &c., in rented or leased premises. Feb. 25, to judiciary.

By Mr. BROWN—

- Dec. 31. H. B. 25. To provide for the election of circuit solicitors. Jan. 3, to judiciary.
- Jan. 3. H. B. 53. To repeal an act to establish a new precinct and form a new beat in county of Tuscaloosa. Jan. 4, to local legislation.
- Jan. 4. H. B. 63. To make it lawful to waive the right of exemption. Jan. 5, to judiciary.
- Jan. 5. Joint resolution raising joint committee to take into consideration the subject of the relation of this session to the new constitution; to special joint committee on constitution.
- Jan. 7. H. B. 124. To provide for the revision and digesting of the public statutes of the State. Jan. 8, to judiciary.
- Jan. 12. H. B. 157. To amend section five of the act to amend the corporation laws. Jan. 13, to corporations. Feb. 1, report adverse and concurred in.
- Jan. 13. H. B. 167. To abolish the registration oath. Jan. 14, to privileges and elections. Feb. 4, report favorable and recommitted.
- Jan. 29. H. B. 311. For the relief of certain tax payers. Jan. 31, to finance. Feb. 1, amended and passed. Feb. 5, enrolled and signed.
- H. B. 313. To prevent the destruction of game. Jan. 31, to agriculture and commerce. Feb. 22, laid on table.

By Mr. CHAMBERS—

- Jan. 6. H. B. 99. To refund money paid for licenses by merchants and dealers under the revenue law

By Mr. CHAMBERS—CONTINUED.

- of 1875. Jan. 7, to ways and means. Jan. 14, report favorable and passed. Feb. 19, enrolled and signed.
- H. B. 100. To abolish the court of county commissioners of Dallas county and establish another court. Jan. 7, to judiciary. Jan. 29, report a substitute. Jan. 31, substitute adopted. Feb. 1, passed. Feb. 19, enrolled and signed.
- Jan. 7. H. B. 116. To amend section 3570 of the Revised Code. Jan. 8, to judiciary. Jan. 15, report favorable and passed. Jan. 23, enrolled and signed.
- H. B. 117. To require circuit judges more promptly to dispose of all business in the circuit courts. Jan. 8, to judiciary. Jan. 15, report favorable, special order for Tuesday next. Jan. 21, recommitted. Jan. 26, amended and passed. Feb. 29, enrolled and signed.
- H. B. 118. To prohibit solicitors from receiving fees in which a *nolle prosequi* is entered on their motion. Jan. 8, to judiciary.
- H. B. 119. To permit juries to take written charges on their retirement. Jan. 8, to judiciary.
- H. B. 120. To amend section 3576 of the Revised Code. Jan. 8, to judiciary.
- H. B. 121. To amend section 2756 of the Revised Code. Jan. 8, to judiciary.
- H. B. 122. To fix the time of holding the courts in the 9th circuit. Jan. 8, to special committee. Jan. 12, report favorable and passed. March 4, senate amendment referred to special committee. March 6, amended and concurred in. March 7, enrolled and signed.
- Jan. 12. H. B. 151. To fix the fees of sheriffs for feeding prisoners. Jan. 13, laid on table. Jan. 14, taken from table and referred to judiciary.
- H. B. 152. To regulate the formation of juries in criminal cases, and to amend sections 4173, 4178 and 4179 of the Revised Code. Jan. 13, to judiciary.
- Jan. 12. H. B. 158. To regulate the system of penal labor in the several counties, 150 copies ordered

By Mr. CHAMBERS—CONTINUED.

- printed. Jan. 13, to judiciary. Feb. 2, amended. Feb. 3, amended and passed.
- Jan. 13. H. B. 165. To amend section 3300 of the Revised Code. Jan. 14, to judiciary. Jan. 24, report favorable and passed.
- H. B. 175. Joint memorial to congress, asking a repeal of the resumption act; to federal relations.
- Jan. 15. H. B. 197. To incorporate the Alabama Fertilizer Company. Jan. 17, to corporations. Jan. 18, report favorable and passed. Feb. 17, enrolled and signed.
- Jan. 22. H. B. 260. To protect the rights of claimants in suits for the recovery of personal property in specie. Jan. 24, to judiciary. Feb. 28, passed. March 4, enrolled and signed.
- Jan. 24. H. B. 265. To incorporate the Alabama State Grange Fair. Jan. 25, to corporations. Feb. 18, passed. March 8, enrolled and signed.
- Jan. 26. H. B. 283. To amend the act in relation to trials for misdemeanors in Tuscaloosa and other counties. Jan. 27, to judiciary.
- Jan. 28. H. B. 308. To establish a court of county revenue for Dallas county. Jan. 29, to judiciary. Feb. 8, passed. Feb. 19, enrolled and signed.
- Feb. 10. H. B. 410. To amend an act to prevent fraud in weighing and sampling cotton, &c. Feb. 11, to agriculture and commerce.
- H. B. 411. To regulate the delivery of freight by railroads. Feb. 11, to judiciary.
- Feb. 11. H. B. 421. To establish and allow bills of exceptions in certain cases. Feb. 12, to judiciary.
- Feb. 14. H. B. 437. To prevent destruction of property by dogs. Feb. 15, to agriculture and commerce.
- Feb. 16. H. B. 450. To prevent county officials from being interested in county contracts. Feb. 17, to judiciary. Feb. 28, passed. March 7, enrolled and signed.
- Feb. 18. H. B. 457. Joint resolution to appoint a joint committee to investigate and report upon certain financial transactions of ex-Governors Robert B. Lindsay and David P. Lewis, respectively. Amended and adopted.
- Mar. 7. Joint resolution referring communication of John T. Morgan to a joint committee. Adopted.

By Mr. CHAMBERS—CONTINUED.

H. B. 488. Joint resolution authorizing the commissioners appointed to adjust the State debt to investigate certain matters relating to the administration of David P. Lewis and Robert B. Lindsay, late Governors. Adopted.

By Mr. CLEMENTS—

- Jan. 3. H. B. 52. To regulate fees of circuit and county solicitors. Jan. 4, amended and referred to judiciary.
- Jan. 5. H. B. 76. To reduce the amount of shares of the Alabama Coal and Navigation Company, &c. Jan. 6, to corporations.
Joint resolution raising joint committee on Governor's message in regard to immigration. Adopted.
- Jan. 6. H. B. 101. To provide for the cancellation and retiring annually of two hundred thousand dollars of State obligations. Jan. 7, to finance.
- Jan. 13. H. B. 166. To provide for and secure the collection of the uncollected taxes of 1875. Jan. 14, to ways and means. Jan. 15, report favorable and passed. Jan. 20, enrolled and signed by Speaker.
- Jan. 21. H. B. 254. To amend section 3515 of the Revised Code. Jan. 22, to fees and salaries.
- Jan. 24. Joint resolution referring Governor's message and report of commissioners to adjust the State debt to a joint committee. Adopted. Jan. 25, five members added.
- Jan. 29. H. B. 321. Joint memorial to congress in relation to the University. Adopted.
- Jan. 31. H. B. 334. To require Secretary of State to deliver certain books to the President of the University. Feb. 1st, to education. Feb. 11, passed. Feb. 22, enrolled and signed.
- H. B. 335. To incorporate the Grand Lodge of the Independent Order of Good Templars. Feb. 1, to judiciary. March 1, passed. Mar. 8, enrolled and signed.
- Feb. 4. H. B. 371. To regulate the assessment and collection of the poll tax. Feb. 6, to education.

By Mr. CLEMENTS—CONTINUED.

- Feb. 7. H. B. 397. To establish, organize and regulate a system of public instruction. Feb. 8, to education. Feb. 19, report favorable. Feb. 23, bill amended—see pages 498, 499, 503, 508, 512, 571, 572, 573, 574, 575, 576, 577. March 2, substitute adopted and bill passed. March 7, senate amendment concurred in, enrolled and signed.
- Feb. 10. H. B. 413. To secure the safe and economical transportation of convicts to the penitentiary. Feb. 11, to penitentiary. March 6, report favorable, bill withdrawn.
Petition of citizens against the establishing of a court of quarter sessions. Referred to judiciary.
- Feb. 11. H. B. 428. Joint resolution ratifying the compromise with Luther R. Smith, surety on the bond of Wm. J. Gilmore. Adopted.
- Feb. 14. H. B. 438. To repeal section 1047 of the Revised Code. Feb. 15, to public buildings and institutions. Feb. 24, report favorable, recommended.
- H. B. 439. To amend section 1050 of the Revised Code. Feb. 15, to public buildings and institutions. Feb. 24, passed. March 1, enrolled and signed.
- H. B. 440. To amend section 1053 of the Revised Code. Feb. 15, to public buildings and institutions. Feb. 24, passed, reconsidered and passed. March 1, enrolled and signed.
- H. B. 441. To amend section 1054 of the Revised Code. Feb. 15, to public buildings and institutions. Feb. 24, passed. March 1, enrolled and signed.
- H. B. 442. To amend section 1066 of the Revised Code. Feb. 15, to public buildings and institutions. Feb. 24, amended and passed. March 1, enrolled and signed.
- H. B. 443. To amend section one of the act for the support of the Alabama Insane Hospital. Feb. 15, to public buildings and institutions. Feb. 24, passed. March 1, enrolled and signed.

By Mr. CLEMENTS—CONTINUED.

- Mar. 1. H. B. 484. Joint resolution requiring Superintendent of Education to report to the next general assembly the situation and condition of all lands donated by congress to this State for school purposes. Adopted. March 4, enrolled and signed.

By Mr. COCKRELL—

- Jan. 21. H. B. 241. To prevent employees and laborers from disposing of the crop raised by them until a final settlement, &c. Jan. 22, to judiciary.

By Mr. CREWS—

- Dec. 30. H. B. 4. To amend section forty-three of the election law. Dec. 31, to privileges and elections. Jan. 14, report favorable and passed. Jan. 26, enrolled and signed by Speaker.
- Dec. 31. H. B. 14. To amend section forty-one of the revenue law of 1875. Jan. 3, to ways and means.
- Jan. 3. H. B. 29. To amend section one hundred and twelve of the revenue laws of 1875. Jan. 4, to ways and means.
- Jan. 6. H. B. 84. To amend section seventy-three of the revenue law of 1875. Jan. 7, to committee on revenue.
- Jan. 19. H. B. 225. To amend section forty-nine of the revenue law of 1875. Jan. 20, to committee on revenue.
- Jan. 29. H. B. 312. For the relief of J. L. Pugh. Jan. 31, to judiciary. Feb. 28, passed. March 7, senate amendment concurred in, enrolled and signed.
- Jan. 31. H. B. 240. To provide for maimed soldiers. Feb. 1, to appropriations.
- Feb. 4. H. B. 370. To exempt city property of Eufaula from levy and sale. Feb. 6, to local legislation.
- Mar. 1. H. B. 481. To amend the charter of the city of Eufaula. March 2, to special committee. March 3, passed. March 6, enrolled and signed.

By Mr. COON—

- Jan. 11. H. B. 134. To declare usury a misdemeanor.
Jan. 12, to judiciary.

BY Mr. DAVIS—

- Jan. 6. H. B. 85. To repeal the act to incorporate Centerville, Bibb county. Jan. 7, to corporations.
Jan. 14. H. B. 177. To change the county line between the counties of Chilton and Bibb. Jan. 15, to counties and county boundaries.
Feb. 14. H. B. 433. To repeal an act to incorporate the town of Centerville. Feb. 15, to corporations. Feb. 18, passed. March 7, enrolled and signed.

By Mr. DICKSON—

- Feb. 22. H. B. 469. To transfer certain school furniture to the State Normal School at Florence. Feb. 23, to education. Feb. 28, passed. March 4, enrolled and signed.

By Mr. DILLON—

- Jan. 12. H. B. 156. To repeal an act of the Board of Education suspending sale of 16th sections in certain localities. Jan. 13, to education. Jan. 26, report favorable and passed. Feb. 22, enrolled and signed.
Jan. 14. H. B. 186. To incorporate the Gulf Mining Company. Jan. 15, to corporations.
Jan. 21. H. B. 250. To amend section 2339 of the Revised Code. Jan. 22, to judiciary.
H. B. 251. To amend section 2342 of the Revised Code. Jan. 22, to judiciary.
H. B. 252. To amend section 2860 of the Revised Code. Jan. 22, to judiciary. Feb. 2, passed.
H. B. 253. For the relief of E. J. Robinson. Jan. 22, to accounts and claims. Jan. 27, report favorable and passed. Feb. 15, enrolled and signed.
Jan. 24. H. B. 266. To prescribe the fee of the Attorney General and his agents for collecting notes

By Mr. DILLON—CONTINUED.

- given for school lands. Jan. 25, to judiciary. Feb. 2, amended and passed.
- H. B. 267. To amend sections 601, 606, 607 and 612, and repeal section 611 of the Revised Code. Jan. 25, to education. Jan. —, report favorable and passed. Feb. 22, enrolled and signed.
- Feb. 1. H. B. 347. To fix the time of holding the spring term, 1876, of the circuit courts of St. Clair and Calhoun counties. Feb. 2, to local legislation. Feb. 11, passed. Feb. 18, senate amendment concurred in. Feb. 19, enrolled and signed.
- Feb. 4. H. B. 369. To amend the act prohibiting sale of liquor within two and a half miles of Coosa Valley Baptist Church, St. Clair county. Feb. 6, to temperance.

By Mr. EDWARDS—

- Dec. 30. H. B. 11. To regulate the right of voting. Dec. 31, to judiciary.
- Jan. 6. H. B. 91. To incorporate the Grand Lodge and subordinate lodges of Alabama Independent Order of Good Templars. Jan. 7, to temperance. Jan. 14, report favorable and passed, reconsidered and bill recommitted.
- Jan. 7. H. B. 107. To incorporate Haw Ridge Academy. Jan. 8, to corporations.
- Feb. 3. H. B. 365. To incorporate Haw Ridge Baptist Church, in Dale county, and Haw Ridge Academy, Coffee county. Feb. 4, to temperance. Feb. 10, passed. Feb. 24, enrolled and signed.

By Mr. ESPY—

- Jan. 14. H. B. 176. To authorize probate judges to order elections in certain cases, relative to the abolition of fences. Jan. 15, to agriculture and commerce. Jan. 22, report favorable, and special order for Thursday next. Jan. 25, to special committee. Feb. 1, substitute adopted, laid on table and 150 copies ordered printed. Feb. 9, amended. Feb. 10, indefinitely post-

By Mr. ESPY—CONTINUED.

- poned. Feb. 11, reconsidered. Feb. 14, amended. Feb. 15, passed.
- Jan. 19. H. B. 223. To amend section 3614 of the Revised Code. Jan. 20, to judiciary.
- Jan. 31. H. B. 324. To abolish the offices of tax assessor and collector. Feb. 1, to special committee.
- Feb. 7. H. B. 381. To abolish the office of county treasurer. Feb. 8, to special committee.

By Mr. FIELDER—

- Jan. 6. H. B. 92. To amend the act authorizing sheriffs to execute process from justices courts, as to Elmore county. Jan. 7, to local legislation. Jan. 22, report favorable and passed.

By Mr. FORSYTH—

- Jan. 8. H. B. 126. To provide a fund for the support of the public schools during scholastic year 1875-6. Jan. 11, to education.
- Jan. 14. H. B. 190. To authorize publication of legal advertisements in Sunday newspaper. Jan. 15, to public printing. Jan. 17, report favorable and passed. Jan. 26, enrolled and signed by speaker.

By Mr. FRANKLIN—

- Jan. 28. H. B. 306. To change and define the line between the counties of DeKalb and Cherokee. Jan. 29, to counties and county boundaries. Feb. 22, report favorable. Feb. 29, passed. March 7, enrolled and signed.
- Feb. 8. H. B. 400. To provide for a vote of the people on the subject of a permanent location of the county site of DeKalb county. Feb. 9, to counties and county boundaries. Feb. 18, passed. March 3, enrolled and signed.

By Mr. GRANT—

- Dec. 30. H. B. 5. To amend section 3279 of the Revised Code. Dec. 31, to judiciary. Jan. 7, report favorable and passed. Jan. 19, senate amend-

By Mr. GRANT—CONTINUED.

- ment concurred in, enrolled and signed by speaker.
- Dec. 31. H. B. 17. To repeal act prohibiting attorneys in certain cases from practicing their profession, &c. Jan. 3, to judiciary.
- Jan. 11. H. B. 129. To constitute one chancery district of the counties of Calhoun and Cleburne. Jan. 12, to judiciary. Jan. 15, report favorable, recommitted.
- Jan. 17. Petition from Chocologoco Grange, Calhoun county, favoring a dog tax. To agriculture and commerce.
- Jan. 24. H. B. 26. To regulate the license of wholesale liquor dealers in towns incorporated under the Revised Code. Jan. 25, to ways and means.
- H. B. 269. To repeal an act in relation to appeals from justices courts. Jan. 25, to judiciary.
- Jan. 28. H. B. 303. To establish a board of revenue for Wilcox county. Jan. 29, to judiciary.
- H. B. 304. To make Solomon H. Bean of Cleburne, a citizen of Calhoun county. To counties and county boundaries. Jan. 29, report adverse, and concurred in. Feb. 22, reconsidered and concurred in. Feb. 23.
- H. B. 305. To repeal section 149 of the Revised Code. Jan. 29, to judiciary.
- Feb. 1. H. B. 342. To carry into effect section 24, article one of the constitution, relating to right of way. Feb. 2, to judiciary.
- H. B. 343. For relief of Martin & Clark of Calhoun county. Feb. 2, to local legislation. Feb. 9, to special committee. Feb. 18, passed.
- Feb. 3. H. B. 361. To repeal section one of the act in relation to the fine and forfeiture fund of Tuscaloosa and other counties, so far as it applies to Lowndes county. Feb. 4, to local legislation. Feb. 18, passed. March 6, enrolled and signed.
- H. B. 362. To repeal an act to amend section one of the act prohibiting the sale of liquors at Hopewell Baptist Church, and Magnolia Academy, Lowndes county. Feb. 4, to temperance.

By Mr. GRANT—CONTINUED.

- Feb. 4. H. B. 372. To change the boundary line between Calhoun and Cleburne. Feb. 6, to counties and county boundaries. Feb. 22, report adverse and concurred in.
- Feb. 8. H. B. 401. For relief of C. N. Jelks. Feb. 9, to accounts and claims. Feb. 19, passed. March 2, enrolled and signed.
- Feb. 10. H. B. 407. To regulate the fees of jurors and bailiffs in Montgomery county. Feb. 11, to fees and salaries.
- H. B. 408. To regulate the business and to limit the sessions of the city court of Montgomery. Feb. 11, to judiciary.
- Memorial from citizens of Lowndes county, asking for expulsion of H. A. Carson and John M. Jones. Referred to privileges and elections.
- Feb. 11. H. B. 417. To abolish the offices of tax collector and assessor in Calhoun county. Feb. 12, to judiciary.
- H. B. 418. To punish the offense of petit larceny. February 12, laid on the table.

By Mr. GREENE of Jefferson—

- Dec. 30. H. B. 6. To constitute Birmingham a separate school district. December 31, to education. January 13, report favorable, amended and passed. January 31, senate amendment concurred in, enrolled and signed by speaker.
- H. B. 7. To authorize trustees of the Alabama Insane Hospital to sell certain lands. December 31, to ways and means. January 20, to corporations.
- Jan. 4. H. B. 60. To amend an act to protect owners of stock on the line of railroads. January 5, to judiciary. January 12, report favorable and passed.
- Jan. 7. H. B. 112. To authorize the construction of geological sections for the centennial exhibition. January 8, to internal improvements.
- Jan. 15. H. B. 194. To amend section 3250 of the Revised Code. January 17, to judiciary. January

By Mr. GREENE of Jefferson—CONTINUED.

- 24, report favorable and passed. February 17, enrolled and signed.
- H. B. 195. To repeal section 913 of the Revised Code. January 17, to committee on revenue. January 22, report adverse and concurred in.
- Jan. 26. H. B. 278. To annex a portion of Blount county to Jefferson. January 27, to counties and county boundaries. February 22, report adverse and concurred in.
- Jan. 27. H. B. 294. To change the line between Jefferson and Shelby counties. January 28, to counties and county boundaries. February 22, report adverse and concurred in.
- Feb. 2. H. B. 352. To authorize the examination of persons on trial for misdemeanors and felonies as witnesses. February 3, to judiciary. February 28, laid on table.
- Feb. 10. H. B. 406. To repeal so much of the act of December 17, 1873, as prohibits the sale of liquors within two and a half miles of Pierce Coal Mines, Jefferson county. February 11, to temperance. February 22, passed. March 7, enrolled and signed.
- Feb. 14. H. B. 434. To ratify certain proceedings therein named. February 15, to corporations. February 17, to judiciary.
- H. B. 436. To require the court of county commissioners and the treasurer of Jefferson county to publish exhibits. February 15, to local legislation. February 18, passed. March 8, enrolled and signed.

By Mr. GREENE of Lee—

- Jan. 7. H. B. 114. To amend section 3902 of the Revised Code. January 8, to judiciary. January 12, report favorable and passed.
- H. B. 125. To authorize the warden of the penitentiary to sue in the courts of Elmore for collection of claims due him. January 8, to penitentiary.
- Jan. 14. H. B. 181. To amend section 2 of an act to repeal the act establishing city court of Lee county. January 15, to judiciary. January

By Mr. GREENE of Lee—CONTINUED.

- 21, report favorable and passed. February 1, enrolled and signed by speaker.
- Jan. 18. Joint resolution as to duration of the session of this general assembly. Amended and adopted.
- Jan. 27. H. B. 296. To provide for the election of justices of the peace and constables, and to regulate their term of office. January 28, to judiciary. February 28, passed.
- H. B. 297. To fix the term of office of notaries public. January 28, to judiciary. February 28, passed. March 4, enrolled and signed.
- Feb. 7. H. B. 387. To authorize the payment at Montgomery of the interest on the bonds belonging to A. & M. College. February 8, to education. February 11, passed. February 17, enrolled and signed.
- H. B. 388. For the relief of persons having but one arm or leg. February 8, to ways and means. March 1, substitute adopted and bill passed. March 8, enrolled and signed.

By Mr. GULLEDGE—

- Jan. 4. H. B. 59. To repeal subdivision 12 of section 2 of the revenue law. January 5, to ways and means.
- Jan. 11. H. B. 132. To amend the act prescribing the times of holding courts in 9th circuit, as to Coosa county. January 12, to local legislation. January 22, report favorable and passed. February 4, enrolled and signed.
- Jan. 13. H. B. 172. To punish the crime of bribery. January 14, to judiciary.
- Jan. 19. H. B. 224. To amend the first section of the act incorporating Rockford. January 20, to corporations. February 1, passed.
- Feb. 23. H. B. 475. To provide for the payment of witnesses for the State in certain cases. February 24, to fees and salaries. March 4, passed.

By Mr. HAMILTON—

- Jan. 5. H. B. 73. To repeal section five of act in relation to trials for misdemeanors in Tuscaloosa and other counties therein named as to Marion county. January 6, amended and referred to judiciary. January 25, report favorable and passed.
- Jan. 6. H. B. 94. To authorize the Governor to issue a patent to Wiley S. Metcalf, to certain lands. January 7, to local legislation. February 18, passed. March 4, enrolled and signed.
- Jan. 13. H. B. 162. To fix the time of holding courts in 3d circuit. January 14, to special committee. January 29, amended and passed. February 15, house refused to concur in senate amendment.
- Jan. 17. H. B. 213. To confer upon the probate courts power to declare married women free dealers. January 18, to judiciary.
- Feb. 4. H. B. 368. To repeal the act relating to trials for misdemeanors as to Sanford county. February 6, to judiciary.

By Mr. HARRIS of Chambers—

- Jan. 4. H. B. 56. To authorize the Governor to issue obligations of smaller denominations, &c. January 5, to finance.
- Jan. 6. H. B. 86. To amend subdivision one of section 103 of the revenue law of 1875. January 7, to revenue.
- Jan. 26. H. B. 286. To repeal sections 446 and 447 of the Revised Code. January 27, to judiciary.

By Mr. HARRIS of Perry—

- Jan. 4. H. B. 62. To repeal the act consolidating fine and forfeiture fund of Perry county with the general fund. Jan. 5, to judiciary.
- Jan. 12. H. B. 147. To prescribe the mode of giving notice, as required under article four of section twenty-four of the constitution. Jan. 13, to judiciary. January 20, report a substitute, adopted and bill passed. January 27, senate amendment concurred in. Jan. 27, enrolled and signed by the speaker.

By Mr. HARRIS of Perry—CONTINUED.

- Jan. 13. H. B. 163. To amend section 3862 of the Revised Code. Jan. 14, to fees and salaries.
- Jan. 14. H. B. 183. To repeal the act providing for the appointment of solicitors *pro tem*. Jan 15, to judiciary.
- Jan. 21. H. B. 248. To amend subdivision twelve of section two of the revenue law. January 22, to committee on revenue.
- Jan. 22. H. B. 259. To amend section 3555 of the Revised Code. Jan. 24, to judiciary.
- Jan. 26. H. B. 281. To amend section fourteen of the revenue law. January 27, to ways and means.
- Jan. 31. H. B. 333. To prescribe the order of business in the circuit courts. Feb. 1, to judiciary.
- Feb. 2. H. B. 357. To pay Mrs. Narcissa H. Heidt, for advertising lands. February 3, to accounts and claims. February 19, report favorable, recommitted. Feb. 22, to ways and means. March 3, substitute adopted and bill passed. March 8, enrolled and signed.
- Feb. 4. H. B. 367. To repeal the act to consolidate the fine and forfeiture fund of Perry county with the general fund. February 6, to judiciary. February 28, passed.
- Feb. 7. H. B. 395. To make intoxication a misdemeanor. February 8, to judiciary.

By Mr. HEATON—

- Jan. 6. H. B. 98. To repeal the act prohibiting the sale of liquors at Wedowee, Randolph county. January 7, to temperance, withdrawn.
- Feb. 7. H. B. 396. To repeal the act prohibiting the sale of liquors within one and a half miles of Wedowee, Randolph county. Feb. 8, to temperance. February 21, passed. March 3, enrolled and signed.
- Feb. 8. H. B. 404. To legalize and ratify the settlement, &c., of the present treasurer of Randolph county. Feb. 9, to local legislation. February 18, passed. March 3, enrolled and signed.
- Feb. 19. H. B. 464. To amend the act of February 20th, 1875, relating to time of holding courts in the tenth judicial circuit. February 21, to judi-

By Mr. HEATON—CONTINUED.

- ciary. February 28, passed. March 7, enrolled and signed.
- Feb. 22. H. B. 470. To authorize the tax collector of Randolph county to advertise tax sales by posting written notices. Feb. 23, to ways and means.

By Mr. HERMAN—

- Jan. 3. H. B. 36. To enforce the collection of rent upon store houses, etc. January 4, to judiciary.
- H. B. 37. To prohibit the tax collector of Lauderdale county from receiving State obligations for county taxes. Jan. 4, to judiciary.
- H. B. 38. To repeal the act for the protection of *bona fide* purchasers. Jan. 4, to judiciary.
- H. B. 39. To repeal the act prohibiting sale of liquors within three miles of Rodgersville, Lauderdale county. January 4, to temperance. February 22, passed. March 7, enrolled and signed.
- H. B. 40. To repeal so much of section fifteen of the revenue law as adds a penalty, &c. January 4, to ways and means.
- Jan. 5. H. B. 79. In relation to trials for misdemeanors. January 6, to judiciary.
- Jan. 12. Joint resolution raising a joint committee to report if any money should be appropriated to the centennial. Adopted.
- Jan. 7. H. B. 113. To repeal the act prohibiting the sale of liquors within three miles of Bethesda and Beulah churches, Montgomery county. January 8, to temperance.
- Jan. 17. H. B. 202. To amend sections 3952 and 3953 of the Revised Code. Jan. 18, to judiciary.
- H. B. 203. To repeal the act prescribing the terms on which married women may take appeals. January 18, to judiciary.
- H. B. 204. To better secure the collection of rents by landlords. January 18, to judiciary.
- H. B. 221. For relief of Lewis Cardinal. January 17, to judiciary.
- Jan. 20. H. B. 238. To appropriate a certain sum to have Alabama represented at the centennial. Jan-

By Mr. HERMAN—CONTINUED.

- uary 21, to finance. March 4, majority report favorable.
- Jan. 21. H. B. 242. To amend section 4094 of the Revised Code. Jan. 22, to judiciary.
- H. B. 243. To prescribe the criminal jurisdiction of justices of the peace. January 22, to judiciary.
- Jan. 27. H. B. 295. To regulate the tax to be paid by wounded soldiers for peddling. January 28, to ways and means.
- Feb. 1. H. B. 345. To amend the local option liquor law. February 2, to temperance.
- Feb. 7. H. B. 386. To exempt money derived from life insurance from the claim of creditors. February 8, to judiciary.
- Feb. 17. H. B. 455. To authorize the governor to extend pardon to Dock Mangum. February 18, to judiciary. February 28, report adverse and concurred in.

By Mr. HIGGINS—

- Jan. 5. H. B. 69. To increase the fees of constables. Jan. 4, to fees and salaries.
- H. B. 70. To incorporate Doran's high school, Jackson county. January 6, to corporations. January 18, report favorable and passed.
- H. B. 71. To repeal an act in relation to appeals from justices' courts. January 6, to judiciary. January 12, report favorable and passed. February 2, senate amendment concurred in. February 3, enrolled and signed.
- Jan. 19. H. B. 226. To amend the act to keep in each county a share of the public school money. January 20, to education. Jan. 26, passed. February 22, enrolled and signed.
- Jan. 24. H. B. 262. To amend section 6351 of the Revised Code. January 25, to judiciary.
- Jan. 26. H. B. 276. To prevent the abuse of trespassing of stock, and to provide a remedy. January 27, to agriculture and commerce.
- Jan. 28. H. B. 307. To prevent scalage in weighing cotton bales, etc. January 29, to special committee. January 31, passed.

By Mr. HOLLOWAY—

- Dec. 31. H. B. 26. To repeal subdivisions 17, 18 and 19, of section 103 of the revenue law. January 3, to ways and means.
- Jan. 6. H. B. 102. To repeal sections 1 to 16, inclusive, of an act to regulate exempted property from sale for the payment of debts. January 7, to judiciary.
- Jan. 19. H. B. 237. To establish and organize inferior courts of record. Laid on table and one hundred and fifty copies ordered printed. January 22, to judiciary.
- Feb. 16. H. B. 447. To exempt certain property from levy and sale to every resident, etc. February 17, to judiciary.

By Mr. HUEY—

- Jan. 12. H. B. 153. To regulate the trial of the right of property in certain cases in suits brought to recover personal property in specie. January 13, to judiciary.
- H. B. 154. To define the close of the tax year. January 13, to revenue.
- Jan. 14. H. B. 184. To regulate the sale of spirituous or vinous liquors. To temperance. January 15, substitute reported. February 21, bill laid on table.
- Jan. 21. H. B. 249. To regulate the distribution of the poll tax. January 22, to education.
- Jan. 26. H. B. 282. To fix the time in which mortgages, &c., shall be closed and enforced. January 27, to judiciary.
- Jan. 27. H. B. 299. To extend the time for the redemption of land sold for taxes and purchased by individuals. January 28, to finance. February 16, passed. February 25, enrolled and signed.
- Feb. 10. H. B. 409. To amend section 2654 of the Revised Code. February 11, to judiciary.
- Feb. 11. H. B. 420. To regulate the assessment, collection and disbursement of the poll tax. February 12, to judiciary.
- Feb. 16. H. B. 451. For the protection of patients. February 17, to judiciary.

By Mr. JENKINS—

- Dec. 30. H. B. 10. To repeal act requiring treasurer of Wilcox county to pay the fees of certain officers. December 31, to fees and salaries. January 22, report favorable and passed. February 22, enrolled and signed.
- Jan. 12. H. B. 159. To repeal act prohibiting sale of liquors at Snow Hill Depot and Bethsaida Baptist Church, Wilcox county. January 13, to temperance. February 22, passed. March 8, enrolled and signed.
- Jan. 14. H. B. 189. To amend section 3932 of the Revised Code. January 15, to judiciary.
- Jan. 21. H. B. 255. To repeal section four of an act to regulate the term of service of jurors. January 22, to judiciary. January 25, amended and passed.
- Feb. 1. H. B. 348. To repeal the act authorizing Wilcox county to levy a greater tax than fifty per cent. February 2, to local legislation.
- H. B. 349. To require county commissioners to give bond, with security. February 2, to judiciary.

By Mr. JONES (of Russell)—

- Dec. 31. H. B. 24. To amend the funding act. January 3, to finance.
- Jan. 13. H. B. 164. To amend section 900 of the Revised Code. January 14, to counties and county boundaries. February 1, report favorable and bill lost.
- H. B. 185. To amend section 4064 of the Revised Code. January 15, to judiciary. January 25, substitute adopted and passed. March 6, enrolled and signed.
- Jan. 17. H. B. 218. To require tax collectors to receive State obligations in payment of taxes in all cases, &c. January 18, to committee on revenue. January 20, to judiciary.
- Jan. 29. H. B. 314. To amend the act of December, 1874, relating to sheriffs serving process from justices courts. January 31, to judiciary. February 18, passed. March 7, enrolled and signed.

By Mr. JONES of Russell—CONTINUED.

- Feb. 1. H. B. 346. To require commissioners courts to have additional jail apartments erected when necessary. February 2, to judiciary.
- Feb. 2. H. B. 358. To require emigrant agents to take out license. February 3, to local legislation.

By Mr. KIMMEY—

- Jan. 6. H. B. 89. To authorize the courts of county commissioners to declare streams public highways for certain purposes. January 7, to local legislation.
- H. B. 90. To incorporate Clintonville Academy in Coffee county. January 7, to corporations.
- Jan. 26. H. B. 288. To repeal the act to divide Coffee county into four commissioners districts. January 27, to local legislation. February 18, passed.
- H. B. 289. To prevent commissioners courts from levying more than one hundred per cent on State tax. January 27, to ways and means.
- Feb. 3. H. B. 363. To relieve persons where property is destroyed after assessment, but before taxes are paid. February 4, to finance.
- Feb. 4. H. B. 374. To continue in force the act to authorize the filing and recording of certain deeds. February 6, to local legislation.
- Feb. 17. H. B. 452. To incorporate Clintonville Academy, in Coffee county. February 18, to temperance. March 1, amended and passed. Mar. 7, enrolled and signed.
- H. B. 453. To adjust and settle the claims outstanding against the educational department. February 18, to education.

By Mr. KIRKLAND—

- Jan. 7. H. B. 108. To amend section 2140 of the Revised Code. January 8, to judiciary.
- Jan. 21. H. B. 240. To repeal paragraph twelve of section two of revenue law. January 22, to committee on revenue.
- Feb. 10. H. B. 416. Joint memorial to congress for an appropriation for the survey of the Sipsey river. Adopted. March 4, enrolled and signed.

By Mr. KIRKLAND—CONTINUED.

- Feb. 11. H. B. 422. To repeal section one of the act of December 17, 1873, so far as it prohibits the sale of liquor at Vernon, Sanford county. February 12, to temperance. February 22 passed. March 4, enrolled and signed.

By Mr. LESLIE—

- Jan. 4. H. B. 61. To change the line between the counties of Russell and Lee. January 5, to counties and county boundaries. January 14, report favorable and lost.
- Jan. 11. H. B. 139. To repeal the act of March 8, 1875, amending section nine hundred and fifty-seven of the Revised Code. January 12, to education.
- H. B. 140. To amend section fifteen of the revenue law. January 12, to revenue.
- Feb. 23. H. B. 478. To suspend section six, article twelve, of the constitution. February 24, to education. February 25, reconsidered, and bill indefinitely postponed.

By Mr. LEWIS—

- Feb. 7. Petitions of colored citizens of Perry, praying for the passage of the bill to establish a court of quarter sessions of Perry county. Referred to judiciary.

By Mr. MAPLES—

- Dec. 30. H. B. 12. Joint memorial to congress relative to the public lands. Referred to federal relations. February 1, report favorable and adopted.
- Jan. 3. H. B. 35. To repeal 3519 of the Revised Code. January 4, to judiciary. January 25, report adverse. January 26, house refuses to concur in adverse report, and bill passed. Feb. 29, enrolled and signed.
- Jan. 11. H. B. 137. To amend section 1859 of the Revised Code. January 12, to judiciary.
- H. B. 138. To establish jurisdiction in civil and

By Mr. MAPLES—CONTINUED.

- criminal cases in the circuit courts. January 12, laid on table.
- Jan. 22. H. B. 258. To prevent hunting upon certain lands of Wallace and A. G. Henry, in Marshall county. January 24, to local legislation. February 18, report favorable, bill laid on table.
- Jan. 26. H. B. 277. To compel hunters of wild hogs, etc., to give public notice. January 27, to agriculture and commerce. February 1, adverse report. February 8, recommitted.

By Mr. MARTIN—

- Jan. 3. H. B. 33. To repeal act prohibiting sale of liquor within five miles of Orrville, Dallas county. January 4, to temperance.
- Jan. 11. H. B. 135. To repeal the act of March 6, 1875, amending section 3695 of the Revised Code. January 12, to judiciary.

By Mr. MATHEWS—

- Jan. 31. H. B. 324. To require certain qualifications of teachers in the free public schools. February 1, to education. February 11, adverse and concurred in.

By Mr. McDUFFIE—

- Jan. 7. H. B. 115. To repeal act prohibiting sale of liquors at certain places in Montgomery and Lowndes counties, approved December 18, 1873. January 8, to temperance.

By Mr. MITCHELL—

- Jan. 6. H. B. 97. To amend section one of the act amending the funding act, approved February 13, 1875. January 7, to finance.
- Jan. 12. H. B. 146. To amend subdivision five of section 103 of the revenue law. January 13, to revenue.
- Jan. 17. H. B. 216. To regulate the system of penal labor. January 18, to judiciary.
- H. B. 217. In relation to the convicts. January 18, to judiciary.

By Mr. MITCHELL—CONTINUED.

Joint resolution, instructing the committee appointed to visit the penitentiary to ascertain certain facts in regard to connecting the penitentiary by rail with South & North Railroad. Adopted.

- Jan. 29. H. B. 315. To restrain counties from issuing bonds to pay back-indebtedness. January 31, to finance. February 12, withdrawn.
- H. B. 316. Requiring officers to pay over moneys monthly. January 31, to finance.
- H. B. 317. To regulate fees of registers on election days. January 31, to fees and salaries.
- H. B. 318. To regulate the fees pertaining to coroner's inquests. January 31, to fees and salaries.
- H. B. 319. In relation to the fees of jurors and bailiffs. January 31, to fees and salaries. February 22, amended and passed.
- H. B. 320. To authorize Montgomery county to collect taxes in currency. January 31, to finance.
- Jan. 31. H. B. 330. To provide for raising revenue to pay county current expenses and back debts. February 1, to finance.
- H. B. 331. To repeal the act of March 8, 1875, providing for hard labor for the county. February 1, to penitentiary.
- H. B. 332. To amend the act prohibiting sale of liquor at Bethesda church, Montgomery county. February 1, to temperance.
- Feb. 3. H. B. 366. To alter and regulate the distribution of the fine and forfeiture fund of Montgomery county. February 4, to fees and salaries. February 22, amended and passed.
- Feb. 7. H. B. 394. To amend the act to fix the number and compensation of the officers of the penitentiary. February 8, to penitentiary.
- Feb. 16. H. B. 449. To regulate the fine and forfeiture fund of Montgomery county. February 17, to fees and salaries. February 22, passed.
- Feb. 19. H. B. 466. To authorize the board of revenue to divide Montgomery county into election pre-

By Mr. MITCHELL—CONTINUED.

cincts. February 21, to local legislation. March 3, passed.

- Mar. 1. H. B. 483. To authorize the corporate authorities of the city of Montgomery to levy and collect a tax upon personal property. March 2, to ways and means. March 3, amended and passed. March 7, enrolled and signed.

By Mr. NELSON—

Jan. 5. H. B. 80. To repeal act prohibiting sale of liquor at Perdido Union church. January 6, to temperance.

- Jan. 11. H. B. 131. To provide for and fix the rate of wharfage and storage on all the navigable waters of this State. January 12, to agriculture and commerce. January 22, report favorable, special order for Wednesday next. January 26, amended and passed.

By Mr. PRICE—

Dec. 29. H. B. 3. To appropriate \$100,000 to support of public schools. To education. December 30.

Dec. 31. H. B. 22. To cancel the interest upon the re-issue of State obligations. January 3, to finance.

H. B. 23. To authorize the Governor and Treasurer to destroy State obligations. January 3, to finance.

Jan. 3. H. B. 49. To establish the southern chancery division and arrange the courts by districts. January 4, to local legislation. January 22, report favorable and passed, reconsidered, and made special order for Tuesday next. January 25, recommitted. January 27, amended and passed. February 23, house refuses to concur in senate amendment. March 2, committee of conference appointed. March 3, report of committee adopted. March 4, enrolled and signed.

H. B. 50. To amend subdivision 3 of section 102 of revenue law. January 4, to ways and means.

H. B. 51. To regulate the publication of notices

By Mr. PRICE—CONTINUED.

- of intention to apply for passage of local laws. January 4, to local legislation.
- Jan. 5. H. B. 82. To fix the time of meeting of the general assembly. January 6, referred, with amendments, to committee on the constitution. January 10, report a substitute, adopted, and special order for Wednesday next. January 12, passed. January 20, enrolled and signed by speaker.
- Jan. 10. H. B. 128. To provide for the revision, &c., of the public statutes of a general nature. January 11, to judiciary. January 15, report favorable, amended and passed. January 27, house refuses to concur in senate substitute. January 31, committee of conference asked for. March 7, report of committee concurred in, enrolled and signed.
- Jan. 14. Joint resolution requiring secretary of senate and clerk of the house to transmit, with bills sent from one house to the other, the proofs of publication of notice, &c. Adopted.
- Jan. 15. H. B. 196. To provide for incorporating temperance and other societies, &c. January 17, to temperance. January 22, to corporations. January 31, to judiciary.
- Jan. 17. H. B. 214. To amend section 3522 of the Revised Code. January 18, to judiciary. January 28, passed. February 17, enrolled and signed.
- H. B. 215. To amend sections 4363, 4368 and 4369 of the Revised Code, and otherwise regulate coroners inquests. January 18, to judiciary. February 2, passed. February 17, senate amendment concurred in. February 19, enrolled and signed.
- Jan. 19. H. B. 236. To establish and regulate liens of mechanics, 150 copies ordered printed. January 22, to judiciary. February 7, substitute adopted and passed. March 3, senate amendment concurred in. March 4, enrolled and signed.
- Jan. 22. H. B. 257. To amend section 2 of the act amending the proceedings in city court of Mobile.

By Mr. PRICE—CONTINUED.

- January 24, to local legislation. January 27, report favorable and passed.
- Jan. 24. H. B. 270. To define the proceedings and regulate the practice on trials of impeachment, &c. One hundred and fifty copies ordered printed. January 25, to judiciary. February 7, substitute adopted and passed. February 22, senate amendment concurred in, reconsidered, house refuses to concur. March 3, committee of conference. March 4, report of committee adopted. March 7, enrolled and signed.
- Jan. 26. H. B. 279. To secure costs against the accused when sentenced to the penitentiary for a term of years. January 27, to judiciary. January 29, passed, title amended.
- Feb. 1. H. B. 350. To enable married women whose husbands are *non compos mentis* to convey real estate. February 2, to judiciary. February 28, passed. March 7, enrolled and signed.
- Feb. 2. H. B. 355. To confirm and ratify the issue of certain bonds by the county of Mobile. February 3, to local legislation. February 12, passed. February 22, enrolled and signed.
- H. B. 356. To make all general laws in reference to courts of county commissioners applicable to other county courts of like jurisdiction. February 3, to local legislation. February 18, passed. February 29, enrolled and signed.
- Feb. 4. H. B. 377. To amend the act regulating the payment of claims against the fine and forfeiture fund of Clarke county, &c. February 6, to local legislation.
- Feb. 5. H. B. 379. To regulate the appointment and jurisdiction of notaries public with like jurisdiction of justices of the peace. February 7, to committee on constitution. February 8, passed.
- Feb. 7. H. B. 391. To amend an act to regulate the practice in the circuit court of Mobile. February 8, to local legislation. February 18, passed. February 25, enrolled and signed.
- H. B. 392. To provide for the use of depositions and other papers in evidence when lost or de-

By Mr. PRICE—CONTINUED.

- stroyed. February 8, to judiciary. February 28, passed.
- Feb. 13. H. B. 427 $\frac{1}{2}$. To create a lien on ships, steamboats, &c. February 15, to local legislation. March 3, passed. March 7, enrolled and signed.
- Feb. 16. H. B. 446. To amend the act to regulate the term of service of jurors. February 17, to judiciary.
- Feb. 17. H. B. 454. To carry into effect and regulate contracts made under section 30, article 4 of the constitution. February 18, to committee on constitution. February 19, passed. March 6, enrolled and signed.
- Feb. 23. H. B. 471. To construe the law requiring notaries public to affix a stamp to their official seal. February 24, to special committee.
472. To incorporate the Whistler Industrial Co-operate Association. February 25, to special committee. February 29, passed. March 7, enrolled and signed.
- Feb. 24. H. B. 479. To authorize the construction of a break-water in the bay of Mobile. February 25, to special committee. February 28, passed. March 4, enrolled and signed.
- Mar. 7. H. B. 487. Joint memorial for the improvement of the Coosa river. Adopted, enrolled and signed.

By Mr. PROWELL—

- Jan. 17. H. B. 210. To amend section 3724 of the Revised Code. January 18, to judiciary.
- Jan. 21. H. B. 246. To define who are livery stable keepers and horse and mule dealers. January 22, to committee on revenue.
- Jan. 31. H. B. 328. To provide for the partition of property where a part thereof lies in more than one county. February 1, to judiciary. February 28, passed. March 7, enrolled and signed.
- Feb. 18. H. B. 460. To authorize the court of county commissioners of Marengo county to make contracts for keeping roads in repair. February

By Mr. PROWELL—CONTINUED.

19, to public roads and highways. February 22, passed.

By Mr. PURCELL—

Jan. 3. H. B. 55. Joint memorial to congress in relation to the public domain. Adopted. February 22, enrolled and signed.

Jan. 5. H. B. 68. To amend the act to prohibit attorneys in certain cases from practicing their professions in probate and chancery courts. Jan. 6, to judiciary.

Jan. 7. H. B. 109. To fix mileage and per diem of jurors. January 8, to fees and salaries.

H. B. 110. To fix mileage and per diem of county commissioners. January 8, to fees and salaries. January 14, report favorable, re-committed.

Jan. 10. H. B. 127. To regulate proceedings for change of venue. January 11, to committee on constitution.

Jan. 14. H. B. 191. To amend section 3691 of the Revised Code. January 15. To judiciary.

Feb. 13. H. B. 429. To repeal the act to annex fractional township 7, range 12, according to the Florida survey, to township 1, range 26, according to the Alabama survey. February 15, to education.

Feb. 14. H. B. 431. To repeal the act to increase the pay of jurors and witnesses in the county of Henry. February 15, to fees and salaries. Feb. 22, passed. March 3, enrolled and signed.

H. B. 432. To repeal the act of March 14, 1873, (increasing pay of county commissioners,) so far as it applies to Henry county. February 15, to fees and salaries. February 22, passed. March 3, enrolled and signed.

By Mr. REESE—

Jan. 11. H. B. 136. To amend section 23 of the act to regulate elections. January 12, to privileges and elections.

Jan. 15. H. B. 193. To amend section 29 of the election law. January 17, to privileges and elections.

By Mr. REESE—CONTINUED.

Feb. 19. H. B. 465. To amend an act to amend section 3706 of the Revised Code. February 21, to judiciary.

By Mr. REID—

Jan. 26. H. B. 284. To require tax collectors to receive fox and wild cat scalps in payment of taxes. January 27, to ways and means.

By Mr. RICE—

Jan. 3. H. B. 42. To repeal act prohibiting sale of liquors within three miles of Locust Grove Baptist church, Madison county. January 4, to temperance.

Jan. 13. H. B. 161. To authorize chancellors to render decrees, in certain cases, in vacation. January 14, to judiciary.

Jan. 17. Joint resolution as to the duration of the present session. Adopted.

Jan. 31. H. B. 329. To repeal the act prohibiting sale of liquor at Locust Grove Baptist Church, Madison county. February 1, to temperance. February 22, passed. March 6, enrolled and signed.

By Mr. ROSS—

Dec. 30. H. B. 8. To amend subdivision 20 of section 102 of the revenue law of 1875. December 31, to ways and means.

H. B. 9. To amend section 3, of Revenue Law of 1875. December 31, to education. January 13, report adverse and concurred in.

Jan. 3. H. B. 54. To amend the act, approved February 13, 1875, amending the funding act. January 4, to finance.

Jan. 13. H. B. 168. To amend section 509 of the Revised Code. January 14, to ways and means. March 1, substitute adopted and bill passed. March 7, enrolled and signed.

Feb. 19. H. B. 463. To authorize commissioners court of Tallapoosa to instruct the tax collector as to the kind of funds to be received for county taxes. February 21, to finance.

By Mr. ROUSSEAU—

- Jan. 11. H. B. 133. To regulate mortgages. January 12, to judiciary.
- Jan. 22. To exempt deaf, dumb and blind persons from the payment of poll tax. January 24, to ways and means.
- Jan. 31. H. B. 327. To prevent burning of the woods. February 1, to judiciary.

By Mr. SIMS—

- Jan. 17. H. B. 219. For relief of families of persons convicted of vagrancy. January 18, to judiciary.

By Mr. SMITH, (of Bullock)—

- Jan. 13. Joint resolution as to present session not being limited by section 5, of article 4, of the constitution. Laid on table.
- Feb. 7. H. B. 398. To amend an act to incorporate the town of Midway, Bullock county. February 8, to corporations. February 18, lost.

By Mr. SMITH, (of Franklin)—

- Feb. 15. Joint resolution requesting Hon. Jos. W. Taylor to deliver an address on the centennial. Adopted.

By Mr. STALLWORTH—

- Jan. 5. H. B. 67. To repeal subdivision 12, of section 2, of revenue law. January 6, to ways and means.
- Jan. 7. H. B. 106. To amend section 50 of revenue law of 1875. January 8, to committee on revenue.
- Jan. 15. H. B. 200. Requiring secretary of State to furnish judges with duplicate copies of supreme court reports, in certain cases. January 17, to judiciary. January 25, report favorable and passed. February 4, senate amendment concurred in, enrolled and signed by speaker.
- Jan. 25. H. B. 274. To establish a general incorporation law for organizing mining, &c., companies.

By Mr. STALLWORTH—CONTINUED.

January 26, to corporations. January 31, report favorable. February 1, amended. February 2, amended and passed. February 26, senate amendment concurred in. February 28, enrolled and signed.

Jan. 26. H. B. 290. To limit and define taxation for county purposes. January 27, to ways and means. February 16, amended.

Jan. 27. H. B. 302. To revive and keep in force chapter 9, title 9, part 1, of the Revised Code, relating to solicitors. To judiciary. February 4, report favorable, recommitted. February 26, substitute adopted, amended and passed. March 4, house refused to concur in senate amendment. March 7, enrolled and signed.

Feb. 5. H. B. 380. To amend section 2282 of the Revised Code, February 7, to judiciary.

Feb. 18. H. B. 459. To provide for trials of issues of fact in chancery courts. February 19, to judiciary. February 28, passed.

By Mr. STEVENS—

Jan. 3. H. B. 32. To define the rights and liabilities of married women. January 4, to judiciary.

Jan. 6. H. B. 87. In relation to trials of misdemeanors and certain felonies in the county of Chambers. January 7, to local legislation.

By Mr. ST. JOHN—

Dec 31. H. B. 20. To amend section one of an act amending the funding act, approved February 13, 1875. January 3, to finance.

Jan. 3. H. B. 47. To repeal act prohibiting sale of liquors at Oleander, Marshall county. January 4, to temperance.

H. B. 48. To amend section 15 of the local option law, approved March 19, 1875. January 4, to temperance. February 21, amended and passed. March 7, enrolled and signed.

Jan. 5. H. B. 74. To repeal act preventing camp hunting, &c., in beats 5 and 16, Marshall county. January 6, to local legislation.

By Mr. ST. JOHN—CONTINUED.

- Jan. 6. H. B. 95. To amend section 20 of the act to incorporate Guntersville. January 7, corporations.
- Jan. 12. H. B. 145. To repeal the act in relation to the victualing of prisoners in jail. January 13, to fees and salaries.
- Jan. 15. H. B. 199. To regulate the publication of legal notices in Marshall county. January 17, to local legislation. February 18, passed. March 4, enrolled and signed.
- Feb. 11. H. B. 419. To amend sections 2 and 20 of the charter of Guntersville. February 12, to corporations. February 19, passed. March 6, enrolled and signed.

By Mr. STRAUGHN—

- Jan. 26. H. B. 291. To prevent the judge of probate, county treasurer and tax collector, from acting agent, clerk or deputy clerk for one another. January 27, judiciary. February 28, laid on table.
- H. B. 292. To prevent clerks, deputy clerks and employees from practicing law in the courts in which they are clerks, deputy clerks and employees. January 27, to judiciary. February 28, passed. March 6, senate amendment concurred in. March 7, enrolled and signed.
- H. B. 293. To amend section 4345 of the Revised Code. January 27, to judiciary. February 28, passed. March 7, enrolled and signed.
- Feb. 1. H. B. 344. To repeal chapter 7, title 3, part 4, of Revised Code. February 2, to judiciary.
- Feb. 3. H. B. 364. To repeal the act to prohibit sale of liquor at Harrison Lodge No. 246. February 4, to temperance. February 22, report adverse.
- Feb. 7. H. B. 385. To authorize certain parties to pay their taxes in Covington county. February 8, to special committee. February 10, passed. February 24, enrolled and signed.
- Feb. 28. H. B. 480. Joint memorial to congress for a renewal of the land grant to the Mobile & Gi-

By Mr. STRAUGHN—CONTINUED.

rard Railroad. Adopted. March 3, enrolled and signed.

By Mr. STRIBLING—

Jan. 3. H. B. 28. To tax the property of railroad companies. January 4, to ways and means.

Jan. 13. H. B. 169. To appropriate fifty dollars to E. H. Gordy. January 14, to accounts and claims. January 15, referred to fees and salaries.

Jan. 22. H. B. 261. To repeal the act relating to trials for misdemeanors, so far as it relates to Washington county. January 24, to local legislation. January 27, report favorable and passed. February 12, senate amendment concurred in. February 14, enrolled and signed.

Jan. 25. H. B. 271. To prohibit sale of liquor at St. Stephens. January 26, to temperance. Jan. 31, passed. Feb. 1, reconsidered. February 2, amended and passed. Feb. 22, enrolled and signed.

Jan. 27. H. B. 301. To amend the act giving a lien to the owners of stallions, &c. January 28, to judiciary. Feb. 28, passed. March 6, enrolled and signed.

Feb. 10. H. B. 414. To detach Washington county from the western, and attach it to the southern chancery division. February 11, to local legislation.

Feb. 11. H. B. 425. To make appropriation for buying a carpet for the hall of the house of representatives. Feb. 12, to State capitol.

Feb. 19. H. B. 467. For the relief of F. S. Ulmer, late tax collector of Choctaw county. Feb. 21, to accounts and claims. February 22, to ways and means. February 29, substitute adopted and passed. March 6, enrolled and signed.

By Mr. TATE—

Dec. 31. H. B. 15. To provide for more efficiency in working the public roads. Jan. 3, amended and referred to public roads and highways. Jan. 27, amended and referred to special commit-

By Mr. TATE—CONTINUED.

- tee. Jan. 29, report a substitute, adopted and bill passed.
- H. B. 16. To regulate the fine and forfeiture fund of Butler county. Jan. 3, amended and referred to judiciary.
- Jan. 3. H. B. 30. To enforce the collection of poll tax. Jan. 4, to judiciary. Jan. 12, to revenue.
- H. B. 31. To require fees paid clerks in certain cases. Jan. 4, to fees and salaries.
- Jan. 5. H. B. 83. To create revenue for the State. Jan. 6, referred, with amendments, to agriculture and commerce.
- Jan. 7. H. B. 111. To authorize county commissioners to refund money to tax collectors in certain cases. Jan. 8, to ways and means. Jan. 26, report adverse, and concurred in.
- Jan. 12. H. B. 155. To regulate the fine and forfeiture fund. January 13, to judiciary.
- Jan. 25. H. B. 273. To incorporate the volunteer military company of Greenville. January 26, to corporations. Feb. 18, passed. March 3, enrolled and signed.
- Jan. 31. H. B. 325. To make dogs personal property. Feb. 1, to judiciary.
- H. B. 326. To make dogs taxable property, and to provide for the collection of such tax. Feb. 1, to ways and means.
- Feb. 10. H. B. 405. To require tax assessors to take the census of certain property. Feb. 11, to ways and means.
- H. B. 415. To authorize the incorporation of railroad companies. Feb. 11, to special committee. Feb. 22, amended and passed. March 7, enrolled and signed.
- Feb. 17. H. B. 456. To authorize the court of county commissioners of Butler county to levy taxes for certain purposes. February 18, to ways and means. March 1, substitute adopted and bill passed. March 6, enrolled and signed.

By Mr. TOWNSEND—

- Dec. 31. H. B. 18. To repeal liquor law as to Harmony Church, Limestone county. January 3, to

By Mr. TOWNSEND—CONTINUED.

- temperance. January 7, report favorable and recommitted to judiciary. January 25, bill withdrawn.
- Jan. 3. H. B. 41. To enhance the value of State obligations. January 4, to finance.
- Jan. 5. H. B. 72. To amend section 2076 of the Revised Code. January 6, to judiciary.
- Feb. 4. H. B. 375. To repeal liquor law as to Harmony Church, Limestone county. February 6, to local legislation. February 18, passed. Mar. 3, enrolled and signed.
- H. B. 376. To repeal liquor law as to Cambridge Camp Ground, Limestone county. February 6, to local legislation. February 18, passed. March 3, enrolled and signed.
- Feb. 7. H. B. 389. To repeal the act to provide for the registration of electors. February 8, to privileges and elections.
- Feb. 10. Petition of citizens of Limestone county for a law taxing dogs. To agriculture and commerce.

By Mr. TROUP—

- Feb. 22. H. B. 468. To organize the militia of Alabama. February 23, to military. March 3, passed. March 7, enrolled and signed.

By Mr. WHARTON—

- Jan. 5. H. B. 77. To repeal act prohibiting sale of liquors at Jasper, Walker county. January 6, to temperance.
- Jan. 6. H. B. 103. To repeal an act to define and fix the ex-officio fees of sheriff and circuit clerk of Walker county. January 7, to fees and salaries. January 15, report favorable and passed. February 22, enrolled and signed.
- * Jan. 14. H. B. 188. To require counties to make provision for the poor, &c. January 15, to committee on constitution.
- Jan. 31. H. B. 336. To regulate the collection of debts where exemption is waived. February 1, to judiciary.

By Mr. WHARTON—CONTINUED.

- H. B. 337. To require parties to give notice where the right of exemption is waived a second time. February 1, to judiciary.
- H. B. 338. To regulate the fees of judges of probate. February 1, to judiciary.
- Joint resolution for raising a committee to visit the Insane Hospital at Tuscaloosa and report upon its condition, &c. Lost.
- Feb. 2. H. B. 359. To require county claims to be itemized, and provide for filing the same. February 3, to local legislation. February 18, passed. February 25, enrolled and signed.
- H. B. 360. To authorize Walker county to levy a special tax. February 3, to local legislation.
- Feb. 11. H. B. 424. To detach Blount county from the seventh congressional district and attach it to the sixth. February 12, to special committee. February 18, passed. March 7, senate amendment concurred in. March 8, reconsidered.

By Mr. WILSON—

- Jan. 5. H. B. 81. To repeal act incorporating Columbiana. January 6, to corporations. January 7, passed. February 19, enrolled and signed.
- Jan. 7. H. B. 123. To repeal the act of March 20, 1875, so far as it applies to Wilsonville and Harpersville, Shelby county. January 8, to temperance.
- Jan. 31. H. B. 339. To repeal so much of the act of March 20, 1875, as prohibits the sale of liquors at Harpersville, Shelby county. February 1, to temperance.
- Feb. 5. H. B. 378. To repeal the act prohibiting the sale of liquors within three miles of Limeville Baptist Church in Shelby county. February 7, to temperance. February 28, passed. March 6, enrolled and signed.
- Feb. 11. H. B. 423. To protect the public against the evils of immoral discussions. February 12, laid on table.
- Feb. 14. Joint resolution on final adjournment. Laid on the table.
- Feb. 25. H. B. 473. To amend section one of an act to

By Mr. WILSON—CONTINUED.

prohibit the sale, &c., of liquors in certain cases, approved 15th April, 1873. February 24, to temperance. February 28, laid on table. February 29, reconsidered and passed. March 7, enrolled and signed.

By Mr. WITHERSPOON—

Mar. 4. H. B. 486. To prevent fraud in the sale of shoes. March 6, to judiciary.

By Mr. WOOD (of Talladega)—

Jan. 14. H. B. 187. To amend section 1283 of the Revised Code. January 15, to judiciary. January 22, report favorable and lost.

Jan. 15. H. B. 198. To provide for the return of the books furnished county solicitors. January 17, to judiciary. January 25, report favorable and passed.

Jan. 24. Joint resolution raising a joint committee to visit Talladega and report the condition, &c., of the inmates of the Freedmen's Hospital. Laid on table.

Jan. 26. H. B. 285. Joint resolution to change the constitution so as to prohibit the establishing of inferior courts of law and equity. January 27, laid on table.

Jan. 27. H. B. 300. Joint resolution to amend the constitution by striking out section seven of article fourteen, relating to the waiver of exemption. January 28, to committee on constitution.

Jan. 28. H. B. 309. To distribute to the Federal judges and district attorney for Alabama copies of acts and other books. January 29, to judiciary. February 28, passed. March 4, enrolled and signed.

Feb. 1. H. B. 351. Joint resolution to amend the constitution as to mode of impeachment. Laid on table.

Feb. 10. H. B. 412. To amend the act to divide the State into eight congressional districts. February 11, to local legislation.

Joint resolution authorizing the Governor to ap-

By Mr. WOOD of Talladega—CONTINUED.

point three additional members on the centennial commission. Adopted.

- Mar. 3. H. R. 485. Joint resolution raising a joint committee to investigate certain matters therein mentioned. Adopted. March 4, committee appointed. March 7, substitute of senate adopted, enrolled and signed.

By Mr. WOOLF—

- Dec. 31. H. B. 19. In relation to lands sold for taxes and purchased by the State. January 3, to special joint committee.

- Jan. 3. H. B. 45. To provide payment of costs in criminal cases upon death of defendant. January 4, to judiciary. January 7, report favorable and passed. January 27, senate amendment concurred in, enrolled and signed by speaker.

- H. B. 46. To provide for the payment of costs in criminal cases where indictments are withdrawn and filed. January 4, to judiciary. January 25, report favorable and passed. February 17, enrolled and signed.

- Jan. 6. H. B. 93. To provide for the renting of lands belonging to estates of minors and deceased persons. January 7, to judiciary. January 15, report favorable and passed.

- H. B. 88. To repeal sub-division nineteen of section one hundred and two of the revenue law of 1875. To joint committee on revenue.

- Jan. 11. H. B. 142. To incorporate the Marengo Manufacturing Company. January 12, to corporations. January 18, report favorable and passed. February 1, senate amendment concurred in. February 2, enrolled and signed by speaker.

- H. B. 143. To amend section 4013 of the Revised Code. January 12, to judiciary. January 20, report favorable and passed. March 2, enrolled and signed.

- H. B. 144. To establish the city court of Selma. January 12, to judiciary. January 28, amended and passed. February 8, enrolled and signed.

By Mr. WOOLF—CONTINUED.

Jan. 17. H. B. 211. To establish and regulate an additional term of the chancery court of Marengo county. January 18, to judiciary. January 28, passed. February 12, senate amendment concurred in. February 14, enrolled and signed.

H. B. 212. To provide for the removal of certain causes from the chancery to the circuit courts. January 18, to judiciary. January 29, passed.

Jan. 21. H. B. 247. To declare judges of the circuit and city courts incompetent to preside in certain cases. January 22, to judiciary. February 2, amended and passed.

Jan. 29. H. B. 310. To dispose of the lands acquired by the State by non-payment of taxes. January 31, to joint committee.

Feb. 2. H. B. 353. To incorporate the Greensboro Guards. February 3, to corporations. February 18, passed. March 7, enrolled and signed.

H. B. 354. To repeal the act of March 19, 1875, relating to trials of misdemeanors, as to Dallas county. February 3, to judiciary.

Feb. 4. Joint resolution requiring tax assessors and collectors to meet at courthouse to fix the penalties prescribed by the revenue law of 1875. Adopted.

Feb. 7. H. B. 390. To prescribe the number, duties, etc., of the officers and employees of each house of the general assembly. February 8, to committee on constitution. February 19, amended and passed.

Feb. 8. H. B. 402. To repeal the act of February 20th, 1866, as to Lowndesboro. February 9, to corporations. March 3, passed. March 8, enrolled and signed.

H. B. 403. To limit the length of the terms of the circuit court of Dallas county. February 9, to local legislation.

Feb. 10. Petition of citizens of Marengo county for increasing jurisdiction of justices of the peace. Referred to judiciary.

By Mr. WOOLF—CONTINUED.

Feb. 13. H. B. 428. For the relief of clerks of city and other criminal courts. February 15, to judiciary. February 28, passed. March 4, enrolled and signed.

Feb. 16. H. B. 444 $\frac{1}{2}$. To provide for the payment of the interest on the public debt. February 17, to finance. February 18, report favorable. February 26, substitute adopted and bill passed, title amended. March 4, senate amendment concurred in. March 6, enrolled and signed.

H. B. 448. To provide for keeping of dockets in criminal cases by justices of the peace and notaries. February 17, to judiciary. February 28, passed. March 6, senate amendment concurred in. March 7, enrolled and signed.

SENATE BILLS, JOINT RESOLUTIONS, &C.

Received by the House during Session of 1875-6.

- Jan. 7. 78. For the appointment of judge of supreme court *pro tempore*, in certain cases. January 8, to judiciary. January 10, report favorable and passed. January 11, signed by speaker.
25. To authorize letters testamentary to be issued to non-residents. January 8, to judiciary. January 24, substitute adopted and passed. February 17, signed.
- Jan. 8. 15. To amend section 761 of the Revised Code. January 10, to fees and salaries. January 14, report favorable and passed. January 17, signed by speaker.
10. To amend section 68 of the Revised Code. January 10, to fees and salaries. January 17, report favorable and passed. January 19, signed by speaker.
11. To amend section 718 of the Revised Code. January 10, to fees and salaries. January 17, report favorable and passed. January 19, signed by speaker.
14. To amend section 669 of Revised Code. January 10, to fees and salaries. January 17, report favorable and passed. January 19, signed by speaker.
12. To amend section 76 of the Revised Code. January 10, to fees and salaries. January 17, report favorable and passed. January 19, signed by speaker.
13. To amend section 104 of the Revised Code. January 10, to fees and salaries. January 17, report favorable and passed. January 17, re-

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

- port favorable and passed. January 19 signed.
31. To prescribe the counties in which suits may be brought upon official bonds of State officers, etc. January 10, to judiciary. January 15, report favorable and passed. January 18, signed by speaker.
34. To amend section 3902 of the Revised Code. January 10, to judiciary. March 6, passed. March 7, signed.
- Jan. 11. 60. To authorize the warden of the penitentiary to sue, in all cases, for dues to the penitentiary, either in the county of Elmore or the residence of any defendant. January 12, to penitentiary. January 19, report adverse, not concurred in, amended. January 21, referred to judiciary. January 29, amended and passed. February 2, signed by speaker.
81. To repeal an act prohibiting the assessment, etc., of the tax of Pike county, for the erection of a courthouse. January 13, to local legislation. January 22, report favorable and passed. January 25, signed by speaker.
99. To repeal an act to regulate the time of holding probate court of Lee county. January 13, to local legislation. January 20, report favorable and passed. January 21, signed by speaker.
- Jan. 12. 107. To repeal the act of March 19, 1875, relating to trials for misdemeanors, as to Butler county. January 14, to local legislation. January 22, report favorable, amended and passed. January 26, signed by speaker.
- Jan. 13. 59. Prescribing how private corporations may increase their capital stock or bonded indebtedness. January 15, to corporations. January 18, report favorable, amended and passed. January 20, signed by the speaker.
35. To repeal an act to amend section 3470 of the Revised Code. January 15, to judiciary. February 2, passed. February 4, signed.
58. To regulate the individual liability of stock-

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

holders in private corporations. January 15, to corporations. January 18, report favorable and passed. January 20, signed by speaker.

Jan. 15. 4. To execute the power of disposal of lands granted by the act of congress, June 3, 1856, in aid of certain rail road, etc. January 17, read once, laid on table and one hundred and fifty copies ordered printed. January 18, referred to judiciary. February 1, favorable report with an amendment. February 5, amended and passed. February 10 signed.

87. To prescribe the times of holding courts in the middle chancery division. January 17, read once. January 18, to local legislation. January 22, report favorable and passed. January 25, signed by speaker.

79. To regulate the public schools in the county of Mobile. January 17, read once. January 19, to education. February 11, passed. February 14, signed.

118. To authorize the Governor to issue patents to 16th section lands. January 17, read once. January 18, to judiciary. January 29, passed. February 1, signed by speaker.

47. To amend section 430 of the Revised Code. January 17, read once. January 18, to finance. January 24, report favorable and passed. January 26, signed by speaker.

Jan. 17. 56. To amend section 3463 of the Revised Code. January 19, read once. January 20, to judiciary. January 29, passed. February 1, signed by speaker.

71. To amend section 421 of the Revised Code. January 19, read once. January 20, to judiciary. January 29, passed. February 1, signed by speaker.

129. For the appointment and compensation of chancellors in certain cases. January 19, read once. January 20, to fees and salaries. January 29, to judiciary. March 2, passed. March 4, signed.

136. Joint memorial to the senate of United

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

States, asking that the seat of Geo. E. Spencer be declared vacant. January 19, special order for Friday next; taken up on motion of Mr. Price and adopted. January 22, Mr. Stribling allowed to record his vote for and Mr. Allen against the memorial.

Jan. 18. 119. To amend section 109 of the Revised Code. January 19, read once. January 20, to fees and salaries. February 21, passed. February 23, signed.

82. For payment of P. Phillips for professional services. January 19, read once. January 20, to judiciary. January 25, report favorable and lost. January 26, reconsidered and recommitted. March 6, passed. March 7, signed.

27. To amend section 12 of act to establish a new charter for Union Springs. January 19, read once. January 20, to local legislation. January 27, amended and passed. January 29, signed by speaker.

116. To require county treasurers to cancel claims. January 19, read once. January 20, to judiciary. January 29, passed. February 1, signed by speaker.

Jan. 19. 73. To prohibit the sale of lottery or gift enterprise tickets. January 20, read once. January 21, to judiciary. February 2, amended and passed. February 5, signed.

98. To authorize the Governor to refund money received by the State for commissions to census takers. January 20, read once. January 21, to ways and means. February 9, substitute adopted and passed. February 11, signed.

1. To provide for the recording of certain papers. January 20, read once. January 21, to judiciary. March 2, substitute adopted and bill passed. March 6, signed.

117. To punish the posting of obscene pictures, &c. January 20, read once. January 21, to judiciary. January 29, passed. February 1, signed by speaker.

5. To regulate the practice in mandamus cases.

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

- January 20, read once. January 21, to judiciary. February 18, substitute adopted and passed. February 25, signed.
97. To restrict the powers of taxation by towns, &c. January 20, read once. January 21, to finance.
147. To carry into effect section 47 of article 4 of the constitution. January 20, read once. January 21, to judiciary. January 29, report favorable and recommitted.
148. To pay Joe Baumer for articles furnished. January 20, read once. January 21, to accounts and claims. January 27, report favorable and passed. January 29, signed by the speaker.
77. For the relief of tax collectors. January 20, read once. January 21, to ways and means.
- Jan. 20. 162. To amend section 1836 of the Revised Code, and to declare certain days legal holidays. January 21, read once. January 22, to judiciary.
33. To amend section 3836 of the Revised Code as it now stands, and to repeal certain acts therein named. January 21, read once. January 22, to penitentiary. February 7, passed. February 10, signed.
130. To incorporate the Centennial University for ladies. January 21, read once. January 22, to corporations. February 19, passed. February 22, signed.
88. To repeal the act of March 27, 1873, relating to the fine and forfeiture fund as to Lowndes county. January 21, read once. January 22, to local legislation. February 11, passed. February 14, signed.
195. Authorizing the appointment of a messenger to convey Spencer memorial to United States senate. Concurred in. January 20, signed by speaker.
- Jan. 21. 80. To close the accounts and settle the contracts made by the board for the improvement of the river, &c., of Mobile. Read once.

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

- January 22, to local legislation. February 12, majority report adverse. Special order for Monday next. February 15, minority report submitted. February 17, minority report submitted for the majority report, bill amended and passed. February 23, signed.
20. To amend section 2481 of the Revised Code. Read once. January 22, to local legislation. February 11, passed. February 14, signed.
156. To repeal act prohibiting sale of liquor within two miles of Walker's church, Dallas connty. Read once. January 22, to temperance. January 27, bill passed. January 28, signed by speaker.
- Jan. 22. 175. To repeal section 683 of the Revised Code. Read once, January 24. To judiciary, January 25. Passed and signed, February 26.
176. To detach St. Clair from the southern and attach it to the northern chancery division. Read once, January 24. To local legislation, January 25. Passed, January 31. Signed, February 2.
166. To amend the act to prevent abusive, &c., language in presence of females. Read once, January 24. To judiciary, January 25.
21. In relation to the custody and expenditure of money belonging to minors. Read once, January 24. To judiciary, January 25. Passed, February 10. Signed, February 12.
161. To regulate the times of holding courts in the northern chancery division. January 24, read once. January 25, to local legislation. Feb. 4, passed and signed.
- Jan. 24. 196. To prescribe a mode of designating the subdivisions of land sections, as established by the United States. January 25, read once. January 26, to judiciary.
- Jan. 25. 89. To prevent white and colored prisoners from being imprisoned in same apartments before conviction. January 25, read once. January 26, to judiciary. February 10, passed. February 12, signed.
- Jan. 26. 185. Joint resolution requiring State Printer to

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

- publish the new constitution with the acts of the present session. January 27, read once. January 28, to public printing. February 11, passed. February 14, signed.
193. To prevent the hiring of penitentiary convicts to their relatives. January 27, read once. January 28, to judiciary. March 2, passed. March 4, signed.
182. To empower courts of county commissioners to levy a special tax for the purpose of building court-houses and jails, &c. January 27, read once. January 28, to local legislation. February 11, passed. February 14, signed.
183. To provide for keeping the session acts and other books in the court-room during the session of court, &c. January 27, read once. January 28, to judiciary. March 2, passed. March 4, signed.
197. To prescribe the time in which prosecutions for certain offenses must be commenced. January 27, read once, January 28, to judiciary. March 2, passed. March 4, signed.
178. To repeal the prohibitory liquor law of March 18, 1875, as to Harrell's Cross Roads. January 27, read once. January 28, to temperance. February 19, passed. February 22, signed.
158. To incorporate the North Alabama Mining and Manufacturing Company. January 27, read once. January 28, to corporations. February 16, amended and passed. February 18, signed.
- Jan. 27. 214. To amend section 23 of the election law. January 28, read once. January 29, to privileges and elections. March 3, passed. March 6, signed.
207. To authorize executors, &c., to sell lands at private sale. January 28, read once. January 29, to judiciary. March 2, amended.
200. To protect citizens in their civil liberties. January 28, read once. January 29, to judiciary.

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

- Jan. 29. 228. To provide for the payment of the Spencer investigating committee. January 31, read once. February 1, to appropriations. February 12, report favorable, special order for Tuesday next. February 19, passed. February 22, signed.
39. To transfer certain causes from the circuit courts to the chancery courts. January 31, read once. February 1, to judiciary. March 2, passed. March 4, signed.
225. To preserve the number of the acts of the respective houses. January 31, read once. February 1, to judiciary. March 2, passed. March 4, signed.
226. To authorize the Governor to negotiate temporary loans. January 31, read once. February 1, to finance. February 16, amended and passed. February 19, signed.
19. To repeal sections 18, 58-59 and 60 of the Revised Code. January 31, read once. February 1, to judiciary. March 6, report adverse. March 7, concurred in.
- Jan. 31. 244. To authorize and require the Governor and Treasurer to destroy State obligations when practicable. February 1, read once. February 2, to finance. February 16, passed. February 18, signed.
- Joint resolution requiring secretary of senate and clerk of house to certify to the Governor the names of the persons elected solicitors. Adopted February 1.
- Feb. 3. 194. To establish a court of quarter sessions for Perry county. February 4, read once. February 5, to judiciary. February 21, amended and passed. February 22, signed.
212. To define the duties of owners of partition fences. February 4, read once. February 5, to agriculture and commerce. February 22, passed. February 24, signed.
- Feb. 4. 256. To allow tax collectors to give separate bonds for the collection of ordinary State and county taxes, and all other taxes for special purposes. February 5, read once. Feb-

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

- ruary 7, to judiciary. March 2, passed. March 4, signed.
303. Joint resolution authorizing the Governor to appoint an attorney to represent the State in the matter of George E. Spencer's right to a seat in the United States Senate. Feb. 5, adopted, signed by speaker.
- Feb. 5. 18. To allow married women in certain cases to sue in their own names. February 7, read once. February 8, to judiciary. March 2, passed. March 4, signed.
288. To extend the charter of the Prattville Manufacturing Company. February 7, read once. February 8, to corporations. Feb. 18, passed. February 22, signed.
253. To give parties who let land on shares a lien for their share, &c. February 7, read once. February 8, to judiciary.
- Feb. 7. 277. To incorporate the Mathews Cotton Mills Company. February 8, read once. Feb. 9, to corporations. February 16, passed. Feb. 17, signed.
245. To repeal an act authorizing the Governor to settle with the Montgomery and Eufaula railroad company. February 8, read once. February 9, to finance. March 4, passed. March 7, signed.
- Feb. 9. 297. To remit the penalties imposed under section fifteen of the revenue law of 1875. Feb. 10, read once. February 11, to ways and means. February 12, passed and signed.
274. To authorize the issuance of branch summons by justices of the peace. February 10, read once. February 11, to local legislation. March 4, passed. March 7, signed.
273. To amend sections 4304 and 4305 of the Revised Code. February 10, read once. Feb. 11, to judiciary. March 6, passed. March 7, signed.
304. To amend an act to amend sections 2961 and 2962 of the Revised Code. February 10, read once. February 11, to judiciary. March 6, passed. March 7, signed.

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

291. To amend section one of the act prohibiting attorneys from practicing in probate and chancery courts. February 10, read once. February 11, to judiciary. March 2, laid on table. March 4, taken from table and passed. March 6, signed.
- Feb. 10. 106. To make appropriations for the support of the public schools. Read once. February 11, to education. February 15, report favorable and passed. February 17, signed.
- Feb. 11. 163. To authorize and require courts of county commissioners to correct certain errors of tax collectors in sale of lands since January, 1868. February 12, read once. February 15, to ways and means. March 7, amended and passed. March 8, signed.
- Feb. 12. 272. To ratify the compromise with the sureties of the late William J. Gilmore. February 15, read once. February 16, to education. February 28, passed. March 1, signed.
- Feb. 15. 252. To require officers to levy on crop of the tenant before resorting to that of the subtenant. Read once. February 16, to judiciary. March 2, passed. March 2, signed.
317. To authorize successors of foreign executors, &c., to execute the powers of their predecessors. Read once. February 16, to judiciary. March 2, passed. March 4, signed.
279. To require persons holding claims against any county, whose records have been destroyed by fire, to register them within twelve months. Read once. February 16, to local legislation. Mar. 4, passed. Mar. 7, signed.
302. To ratify and confirm the settlement of the existing indebtedness of this State, as proposed in the report of the commissioners appointed under the act approved December 17, 1874, &c. Read once. February 16, to select committee. February 21, passed. Feb. 23, signed.
- Feb. 16. 308. To authorize the courts of probate to appoint special guardians and make settlements, in certain cases. Read once. February 17,

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

- to judiciary. March 2, passed. March 4, signed.
181. To provide for the settlement of so much of the taxes for the year 1875, as have been collected by the tax collector for 1874. Read once. Feb. 17, to ways and means. Mar. 3, passed. March 6, signed.
230. To repeal the act of March 8, 1871, regulating the publication of legal notices, as to Blount county. Read once. February 17, to judiciary. March 2, passed. Mar. 4, signed.
48. To prescribe the manner in which exemptions may be waived. February 17, to judiciary. February 26, report favorable. February 28, amended, reconsidered, special order for Wednesday. March 1, amended and passed. March 4, signed.
296. To amend section 5203 of the Revised Code. Read once. February 17, to judiciary. March 6, passed. March 7, signed.
276. To fix the times of holding courts in the twelfth circuit. Read once. January 17, to judiciary.
242. To provide for the return of the books furnished county solicitors. Read once. February 17, to judiciary. Mar. 2, passed. Mar. 4, signed.
326. To incorporate the Gulf Mining Company. Read once. February 17, to corporations. February 18, passed, reconsidered. Feb. 21, passed. Feb. 22, signed.
- Feb. 17. 334. Joint resolution requiring certain documents to be filed in the office of the Secretary of State. February 18, read once. Feb. 19, to judiciary. March 2, passed. March 4, signed.
312. To prescribe the time of holding the courts in the eastern chancery division. February 18, read once. February 19, amended and referred to select committee. Feb. 21, passed. Feb. 24, signed.
298. To amend sections two, three and four of an act in relation to fences, &c., in Sumter and

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

- Pickens counties. February 18, read once. February 19, amended and referred to local legislation. March 4, passed. March 6, signed.
237. To make it penal to buy any public office, &c. February 18, read once. February 19, to judiciary. February 26, passed and signed.
164. To compromise the debt of any county, whose obligations are worth less than par value. February 18, read once. February 19, amended and referred to finance. March 4, passed. March 6, signed.
358. To amend the charter of Tuscaloosa, by addition of sections in reference to slaughter houses. February 18, read once. February 19, to corporations. February 29, passed. March 1, signed.
- Feb. 18. Joint resolution making certain committees of senate and house a joint committee on the Governor's message in relation to the swamp lands. Amended and adopted.
210. To amend section ninety-one (91) of the election law. February 19, read once. February 21, to judiciary. February 26, passed. February 29, signed.
310. To appropriate twenty-five hundred dollars for repairing the capitol. February 19, read once. February 21, to appropriations. March 6, passed. March 7, signed.
32. To provide for the punishment of crimes in certain cases. February 19, read once. February 21, to judiciary. March 6, amended and passed. March 7, signed.
- Feb. 19. 234. To provide for the public printing. February 21, read once. February 22, to public printing. March 6, passed. March 7, signed.
283. To amend the charter of the city of Troy. February 21, read once. February 22, to corporations. February 29, passed. March 1, signed.
286. To amend certain sections of the election laws. February 21, read once. February 22,

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

- to special committee on new constitution. March 4, passed. March 6, signed.
378. Joint memorial in relation to opening the Tennessee river. February 21, adopted. February 23, signed.
- Feb. 21. 344. To re-enact an act in regard to the incorporation of the town of Oxford, Calhoun county. February 23, read once. February 24, to corporations. February 29, passed. March 1, signed.
232. To amend sub-division six, of section 680, of the Revised Code. February 26, read once. February 24, to judiciary. March 2, passed. March 4, signed.
271. To regulate the hiring of convicts by the warden of the penitentiary. February 23, read once. February 24, to penitentiary.
333. To authorize the payment of the expenses of the committee to visit the penitentiary. February 23, read once. February 24, to accounts and claims. March 1, passed. March 2, signed.
30. To repeal the act compelling courts of county commissioners to carry into effect the provisions of the Code relating to hard labor. February 23, read once. February 24, to judiciary.
263. To repeal an act to allow the county of Wilcox to levy a greater tax than fifty per cent. February 23, read once. February 24, to local legislation. March 4, passed. March 7, signed.
- Feb. 22. 128. To provide for the transfer of causes in the chancery courts. February 23, read once. February 24, to judiciary. March 6, passed. March 7, signed.
46. To regulate the purchase of stationery and other material for the use of county officers. February 23, read once. February 24, to committee on constitution. March 4, passed. March 7, signed.
152. To provide for payment of counsel employed by the State to enforce collection of

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

- taxes on stock of National banks. February 23, read once. February 24, to judiciary. March 6, passed. March 7, signed.
- Feb. 23. 340. To incorporate the Alabama Sipsey River Navigation Company. February 23, read once. February 24, to agriculture and commerce. February 28, passed. March 1, signed.
- Feb. 24. 324. To regulate the terms of the circuit court of Dallas county. February 24, read once. February 25, to local legislation. March 4, passed. March 7, signed.
366. To amend section nine of the act to provide for the registration of electors. February 24, read once. February 25, to privileges and elections. March 3, passed. March 6, signed.
387. To extend the time for the publication of the unpublished decisions of the supreme court. February 24, read once. February 25, to judiciary. March 2, passed. March 4, signed.
363. To authorize appeals in certain cases. February 24, read once. February 25, to judiciary. March 6, passed. March 7, signed.
352. Requiring probate judges to cancel interest on State obligations. February 24, read once. February 25, to finance. March 4, passed. March 7, signed.
384. To provide for the payment of the expenses of the committee to visit the Deaf, Dumb and Blind Institution. Read once. February 25, to accounts and claims. March 1, passed. March 2, signed.
359. To prevent the sale of liquors within five miles of Sodda and Bethesda Churches, Montgomery county. Read once, February 25. To temperance, March 6. Passed. March 7, signed.
- Feb. 24. 373. To authorize the warden of the penitentiary to contract with the South and North Alabama Railroad Company for the employment of convicts. Read once, February 25

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

To penitentiary, March 3. Passed. March 6, signed.

Feb. 25. 391. To carry into effect the intention of congress in its donation of a certain quantity of land for the use of the University. Read once, February 26. To special committee, February 28. Amended and passed. March 1, signed.

Feb. 28. 395. To authorize the auditor to draw a warrant in favor of Mrs. Elvira F. Chilton for amount of certain taxes overpaid by her. Read once, February 29. To ways and means, March 3. Amended and passed, March 4. Signed.

402. To authorize the counties of Lee and Tallapoosa to compromise their railroad indebtedness. Read once, February 29. To special committee. March 3, passed. March 6, signed.

400. To amend section 15 of an act authorizing the mayor, &c., of the town of Gadsden to perform certain duties mentioned in said act. Read once, February 29. To corporations, March 7. Passed. March 8, signed.

361. To provide for the payment of the commissioners appointed to arrange and adjust the State debt. Read once, February 29. To ways and means. March 3, report favorable, special order for to-morrow. March 4, passed. March 6, signed.

Feb. 29. 243. To regulate the trial of misdemeanors in Lauderdale county. Read once, March 1. To local legislation, March 2. Passed, March 4. Signed, March 7.

396. To prescribe the oath of office to be taken by mayors and aldermen of cities. Read once, March 1. To corporations, March 2. Passed, March 3. Signed, March 4.

371. To require publication of notice of application to the Governor for pardon, &c. Read once, March 1. To judiciary, March 2. Amended and passed, March 6. Signed, March 7.

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

255. To amend section 1365 of the Revised Code. Read once, March 1. To judiciary, March 2.
380. To pay Jos. Baumer for articles furnished the senate chamber. Read once, March 1. To accounts and claims, March 4. Passed. March 7, signed.
112. To fix the compensation of the Superintendent of Education. Read once, March 1. To fees and salaries, March 2. Report an amendment, adopted. Vote adopting amendment reconsidered and bill passed, March 4. Signed, March 7.
- Mar. 1. 341. Authorizing an election to be held for the permanent location of the county seat of Clay county. Read once, March 2. To local legislation.
381. To amend section ten of the charter of Union Springs. Read once. March 2, to corporations. March 7, passed and signed.
- Mar. 2. 227. To regulate the granting of licenses to retail vinous or spirituous liquors. March 3, read once. March 4, to judiciary. March 6, passed. March 7, signed.
367. To incorporate the town of Fredonia, in Chambers county. March 3, read once. March 4, to corporations. March 7, passed. March 8, signed.
375. For the relief of Mrs. Eliza Huusucker, of St. Clair county. March 3, read once. March 4, to ways and means. March 7, passed. March 8, signed.
418. Memorial to congress for the further improvement of the harbor of Mobile. March 4, adopted. March 6, signed.
- Mar. 3. 416. To fix the times of holding the circuit courts in second judicial circuit. Read once. March 4, to local legislation. March 7, passed. March 8, signed.
336. To authorize and regulate the partition of crops among tenants in common or joint owners, and to enforce liens thereon. Read once. March 4, to judiciary. March 7, signed.

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

335. To declare a lien in favor of tenants in common, on crops grown by them, for advances made by them. Read once. March 4, to judiciary. March 6, amended and passed. March 7, signed.
356. To establish a board of revenue for Lowndes county. Read once. March 4, to special committee. March 6, passed. March 7, signed.
355. To abolish the court of county commissioners of Lowndes county. Read once. March 4, to special committee. March 6, passed. March 7, signed.
406. To authorize the city of Montgomery to work its convicts outside of the city limits. Read once. March 4, to corporations. March 7, passed. March 8, signed.
386. To induce immigration and for the appointment of a commissioner, &c. Read once. March 4, to special committee on immigration. March 6, passed. March 7, signed.
- March 4. 364. To prescribe the duties of courts of probate in certain cases.
397. To repeal the act prohibiting sale of liquors within one and a half miles of Cherokee, in Colbert county. Read once. March 6, to temperance. March 7, passed. March 8, signed.
415. To prescribe the time for holding the chancery courts in the county of Monroe. Read once. March 6, to local legislation. March 7, passed. March 8, signed.
282. To authorize and empower the Troy Female College to issue diplomas. Read once. March 6, to education. March 7, passed. March 8, signed.
285. To amend section 2900 of the Revised Code. Read once.
369. To make printers' bills a part of the costs in cases where publication is made. Read once. March 6, to judiciary. March 7, passed. March 8, signed.

SENATE BILLS, JOINT RESOLUTIONS, &c.—Continued.

March 6. 419. To incorporate the Andrews Institute in DeKalb county.

March 7. 423. Joint resolutions in reference to conducting the prosecution of the case v. George E. Spencer. March 7, adopted. March 8, signed.

431. In relation to extending time to commissioners to investigate claim of W. A. C. Jones. Adopted March 7. Signed March 8.

420. In relation to the centennial year. Adopted. March 8, signed.

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